

NEW YORK STATE
OFFICE OF THE INSPECTOR GENERAL

INTERVIEW

of

JOYCE MITCHELL

Case: 1072-316-2015

Friday, September 25, 2015
11:56 a.m.
Clinton County Jail
25 McCarthy Drive
Plattsburgh, New York 12901

APPEARANCES:

FOR STATE OF NEW YORK OFFICE OF THE INSPECTOR
GENERAL:

[REDACTED]
Inspector General

[REDACTED]
Deputy Inspector General

[REDACTED],
Investigative Counsel

[REDACTED],
Director of Investigative Reporting

FOR JOYCE MITCHELL:

[REDACTED]
[REDACTED]

ALEXY ASSOCIATES, INC.
(518) 798-6109

1 (Prior to the commencement of the
2 proceedings, IG's Exhibits 1 through 3 were
3 marked for identification.)

4 [REDACTED] Thank you for coming in
5 today. The New York State Inspector General's
6 Office is conducting an investigation pursuant to
7 its authority under Article 4A of the Executive
8 Law.

9 Is [REDACTED], the person
10 accompanying you here today, representing you in
11 connection with this proceeding?

12 MS. MITCHELL: Yes, he is.

13 [REDACTED] Thank you. There are
14 certain instructions and warnings we give to all
15 witnesses, so we'll do that now.

16 There is a stenographer here today who will
17 be transcribing your testimony. Please try to
18 speak clearly and slowly. Let us finish our
19 question before you give an answer. Please give
20 verbal responses rather than shake your head; for
21 example, say yes or no rather than nodding or
22 shaking your head.

23 You are appearing here today pursuant to
24 your plea agreement with Clinton County District
25 Attorney Andrew Wylie in which you've agreed to

1 cooperate fully and completely in all aspects of
2 the New York State Inspector General's
3 investigation --

4 THE COURT REPORTER: Could you slow
5 down please?

6 [REDACTED] Sure -- in all aspects
7 of the New York State Inspector General's
8 investigation of the DOCCS Clinton Correctional
9 facility escape.

10 In a moment you will be sworn in, and you
11 will be required to take an oath to testify
12 truthfully. After you take the oath to tell the
13 truth, if you intentionally make a materially false
14 or misleading statement, you may be prosecuted for
15 perjury.

16 Do you understand what I've just said?

17 MS. MITCHELL: Yes, I do.

18 [REDACTED] Do you have any
19 questions?

20 MS. MITCHELL: No, I don't.

21 [REDACTED] Okay. Is there anything
22 that would interfere with your ability to testify
23 today?

24 MS. MITCHELL: No.

25 [REDACTED] Thank you. Please raise

1 your right hand.

2 JOYCE MITCHELL,
3 having been first duly sworn by Jonathan Masters, was
4 examined and testified as follows:

5 [REDACTED] Thank you. Now that
6 you've taken the oath, do you have any condition,
7 or are you taking any medication that would affect
8 your ability to understand our questions and answer
9 truthfully?

10 MS. MITCHELL: No, I'm not.

11 [REDACTED] Thank you.

12 [REDACTED] And we're here today on
13 September 25. It is -- gosh, what time are we
14 now? -- about almost noon?

15 [REDACTED] Noon, about two minutes
16 of noon.

17 [REDACTED] And we are in the Clinton
18 County Jail in the Sheriff's Office, and we're
19 using the conference room at this time, and I'm [REDACTED]
20 [REDACTED] from the IG's office. Everybody introduce
21 themselves?

22 [REDACTED] [REDACTED] from
23 the Inspector General's Office.

24 [REDACTED] [REDACTED] from
25 the Inspector General's Office.

1 [REDACTED] I'm
2 [REDACTED]. I am the Inspector General.
3 [REDACTED] And then do you have
4 counsel here with you today?
5 [REDACTED] Yes, [REDACTED].
6 Sorry.

7 BY [REDACTED]

8 Q All right, so to get started, so what we've been
9 able to do since we last spoke is we've had the
10 opportunity to go back and look at your computer and your
11 phone records, and we've been able to pull up internet
12 searches you made. We went back and got the receipts from
13 Walmart and the different places you purchased items from.
14 And the last time we talked, it was a little bit difficult
15 because we weren't able to definitively state dates, and
16 we said in between now and the first interview with us,
17 and this one, we would be able to go back and get those
18 credit card receipts and the debit card transactions, so
19 we've done that. So that's what I'm going to start with
20 now to assist you, and I think they'll be very helpful.

21 So starting off, what we were able to discover is
22 there was a transaction on President's Day, Monday, on
23 February 16, 2015, so you had -- so you must have had the
24 day off. We checked your records. That was a holiday.
25 And you used your debit card for a \$23.56 purchase in the

1 Malone Walmart, and we know you were in check-out lane 7,
2 and it was at 1:59:20, and 20 seconds, p.m., and that it's
3 transaction number 210, and we know you bought a series of
4 things there, so we have the list. There's a -- I'm not
5 going to go through the entire thing, but we have the
6 register receipt; it ended up being \$23.56 on your debit
7 card, and there was salt; there was some black pepper;
8 there was sugar; there were Band-Aids, that sort of thing.
9 And we have the record of that. And then less than a
10 minute later, at 2:00 and six seconds, there's a
11 transaction, and that was transaction number 211 with the
12 same cashier, and it's cashier operator 2289, and that's
13 when you bought the first set of three saw blade packages
14 with two blades in each one, but that was a cash purchase
15 of 6.38, and we have that listed; it was less -- it was
16 like 30 seconds later. And we have that receipt with the
17 three saw blades. Each packet of two cost \$1.97, and we
18 even know that you tendered cash on that one, that you
19 gave them -- the total bill was 6.38, and you gave them
20 10.38, and they gave you \$4 back, and we have that
21 transaction receipt. So does that help --

22 BY [REDACTED]

23 Q This is --

24 [REDACTED] Go ahead.

25 Q This is also supported by David Sweat's testimony

1 that he requested and received six hacksaw blades at that
2 time.

3 A I don't remember buying -- I don't remember taking
4 in six blades.

5 BY [REDACTED]

6 Q Well, not -- go back to the purchase time. So you
7 would admit and agree with us that on President's Day you
8 went to the Walmart in Malone and made the purchase of
9 these items: The salt, the black pepper --

10 A Yes.

11 Q -- the Band-Aids. You remember that, right? And
12 then a few --

13 A I don't really remember it, but I most likely did.
14 I mean you have the receipts.

15 Q Yeah.

16 A So.

17 Q Well, that's what helps because -- so it would have
18 been -- it would have been a holiday to help remember
19 you --

20 A Yes.

21 Q -- for help you remember. And then after making
22 that purchase the next thing you did is at the same cash
23 register, just a few seconds later, you made a cash
24 payment for the blades.

25 A Okay.

1 Q Okay?

2 A Yup.

3 Q So you agree with that at that point.

4 A Yes.

5 Q Okay, so once that was made --

6 THE COURT REPORTER: You agree with
7 that? What's your answer?

8 THE WITNESS: Yes.

9 Q So after you made that purchase we know that --
10 we've watched the interviews that you've given to the
11 State Police, so we know that on June 7, just to remind
12 you, because it would be hard for you to know the dates,
13 but on the second day of interviews with the State Police
14 you were asked about the blades, I think, for the first
15 time at that point, and -- or mentioned the blades, and
16 your testimony was that you brought them in in your bag
17 through the front gate.

18 A Yes.

19 Q So when you brought them in through the front gate,
20 was it in that black bag you talked about last time?

21 A Yes.

22 Q Okay, and was there anything else in the bag
23 with it? Was your lunch in there with you?

24 A Yes.

25 Q And were they still in their package at that time?

- 1 A The saw blades?
- 2 Q The saw blades themselves?
- 3 A It would have been in the frozen hamburger.
- 4 Q Okay, so you brought them in frozen hamburger on
- 5 that occasion too.
- 6 A Yes.
- 7 Q Okay, because we talked about the frozen hamburger
- 8 on the later dates too.
- 9 A Yes.
- 10 Q But this was an additional one, okay. So do you
- 11 remember, did you break them in half and put them in?
- 12 A Yes.
- 13 Q Okay, so once you -- no one checked you, your bag,
- 14 or how did they check your bag, if in any way?
- 15 A They didn't check my bag.
- 16 Q Okay, so you went right through -- do you recall on
- 17 that day, it would have been the next day after this
- 18 President's Day, on a Tuesday, is that when you brought it
- 19 in?
- 20 A It probably would have been when I --
- 21 Q The next day, after the purchase?
- 22 A Yes.
- 23 Q Okay, so --
- 24 [REDACTED] If you --
- 25 A I, I --

1 [REDACTED] If you know.

2 A I don't really know.

3 Q Okay, but you know you brought them in in meat.

4 A I know --

5 Q In your bag.

6 A I know I brought them in in meat in a bag.

7 Q Lyle certainly didn't bring them in.

8 A No.

9 THE COURT REPORTER: One at a time.

10 [REDACTED] Sorry about that.

11 THE COURT REPORTER: And please slow
12 down.

13 [REDACTED] Sure.

14 Q Lyle didn't bring them in.

15 A No, Lyle did not bring them in. Lyle did not know
16 anything about them.

17 Q Okay, and that's consistent with what you were
18 saying last time. So is Lyle going to work with you that
19 day, if you recall, the first time you brought in the
20 blades?

21 A Yes.

22 Q Okay, and when you bring the blades in, just to
23 confirm, no one checks, even looks in your bag that day.

24 A No, no one checked.

25 Q Okay, so now you bring them into the tailor shop,

1 correct?

2 A Yes.

3 Q And when you bring them into the tailor shop, how
4 did you then get them to Mr. Matt?

5 A Mr. Palmer come and got the hamburger out of the
6 freezer and put it in a yellow envelope and took it back
7 and put it in his cell.

8 Q Okay, and that's distinctly separate from the other
9 deliveries of blades with meat in them, correct?

10 A Yes.

11 Q Okay, so --

12 [REDACTED] Can we stop here?

13 [REDACTED] Sure.

14 [REDACTED] I want to just --

15 BY [REDACTED]

16 Q In your State Police interview on June 7, when you
17 mentioned bringing them in in your bag, and you don't
18 mention meat at that point, and you mention -- a gesture
19 with your hands, indicating the full length of the hacksaw
20 blade, you know, a full, 10-, 12-inch hacksaw blade.
21 Mr. Sweat has told us that those six hacksaw blades came
22 up to the cell block complete.

23 A Mr. Sweat is lying to you then, because I broke
24 them in two and put them in hamburger.

25 Q All six of them, you're saying. Because when we

1 were here last time --

2 A I don't -- I don't remember bringing in six. I

3 remember the four.

4 Q Well, the four --

5 A But if I -- if I brought two other ones, I don't

6 remember that.

7 Q I don't want to put words in your mouth here, but

8 the last time we talked you mentioned bringing two hacksaw

9 blades in with meat that you gave to the -- that Officer

10 Palmer picked up, and about the same time you brought in

11 chisels and some other tools --

12 A Yes.

13 Q -- and another two hacksaw blades.

14 A Yes.

15 Q That you broke in half.

16 A Yes.

17 Q This is a separate event from those two meat

18 deliveries.

19 A Like I said, if --

20 Q This is months earlier.

21 A If I did it, I don't remember it.

22 Q You don't remember six -- this is your --

23 A I don't remember six.

24 Q -- purchasing six hacksaw blades.

25 A I don't remember six hacksaw blades, but obviously

1 I must have did six blades, but I don't remember six
2 blades.

3 BY [REDACTED]

4 Q But you're talking -- the February date, that
5 refreshed your recollection of being in Walmart and making
6 those purchases, correct, the --

7 A What do you mean?

8 Q -- items we showed you with the receipt, right?

9 A If you have the receipt, I -- I purchased them if
10 you have the receipt, but I just --

11 Q Okay.

12 A I don't remember the six blades.

13 Q Because part of what we're doing, is we're trying
14 to figure out, like we talked about last time. It's very
15 important to us to find out how things got from the tailor
16 shop back, like we discussed last time, how they got from
17 the tailor shop, then how did Matt --

18 A Right.

19 Q -- and Sweat get them in their cells.

20 A Right.

21 Q So it's your recollection that you broke all the
22 blades you ever gave them. Is that --

23 A Yes.

24 Q -- your recollection? Okay.

25 A If I brought in six blades, I don't remember it.

- 1 Q But this is, I mean --
- 2 A I'm --
- 3 Q This February date would have been the first time
- 4 that you -- we know from your receipts, it would have been
- 5 the first time that you brought blades in. That would
- 6 have been a big event, correct?
- 7 A Right.
- 8 Q So that's all we're trying to get at. That would
- 9 have been -- we're trying to distinguish -- that's why
- 10 we're trying to help you with the receipts. That first --
- 11 that's the first time you're bringing in --
- 12 A So --
- 13 Q -- something other than pepper.
- 14 A If I brought them in and if I didn't break them,
- 15 then the only way they would have got them back was they
- 16 would had to use some kind of cardboard or something to
- 17 put them in.
- 18 Q Do you remember -- this would have been the first
- 19 time that you brought in blades, so it would have been
- 20 February 2015. You must remember having a conversation
- 21 with Matt about how he's going to get them back to his
- 22 cell because you're bringing in blades. You didn't want
- 23 to hang onto them, correct?
- 24 A Right.
- 25 Q What did you guys talk about as far as that first

- 1 delivery?
- 2 A Just that I was bringing them in and Palmer would
- 3 be the one taking them back.
- 4 Q And Matt took care of dealing --
- 5 A And Matt --
- 6 Q -- with Palmer.
- 7 A Yes.
- 8 Q Did you ever talk directly with Palmer about these
- 9 transactions? The three different transactions of blades,
- 10 did you ever talk to Palmer?
- 11 A Palmer didn't know anything about blades.
- 12 Q Okay.
- 13 A You know, I never said anything about blades to
- 14 him.
- 15 Q Okay.
- 16 A Whether he knew that --
- 17 Q But he -- all -- is it your testimony that all
- 18 Palmer knew was that he was bringing a package of
- 19 something back?
- 20 A Yes.
- 21 Q Okay, but Palmer, did Palmer ever talk to you and
- 22 say, hey, what's in these?
- 23 A No.
- 24 Q Okay.
- 25 A No.

1 Q And were you physically in the tailor shop the
2 first time when Palmer came to get the items and bring
3 them back to Matt, the blades?

4 A Yes.

5 Q You were.

6 A Yes.

7 Q Did he wink at you? Did he say I've got it? Was
8 there any kind of discussion like that?

9 A He just, when he walked in, he told me he was going
10 to grab the hamburg. I told him that it was in the
11 freezer. He went over, put it in the envelope and left,
12 but I don't remember the very first two, but if I did,
13 they would have had to put them in cardboard or something.
14 And Matt was always taking cardboard back to put his
15 paintings in to take them out.

16 Q He would take cardboard from the tailor shop.

17 A Yes.

18 Q And then --

19 A Like a card -- one of the cardboard boxes.

20 Q Would he put it down in his pants or do you --

21 A No.

22 Q Do you remember?

23 A Actually, Palmer would come and get it.

24 Q Okay, the cardboard.

25 A Yes.

- 1 Q Oh.
- 2 A And take it back for him.
- 3 Q All right, that's the first we heard of it. That
- 4 makes more sense, because we couldn't figure out how he
- 5 was wrapping the paintings afterwards, but some of that
- 6 would be paper and cardboard that left the tailor shop --
- 7 A Yes.
- 8 Q -- to go back. And is it your testimony that
- 9 Palmer was the one bringing that back specifically for the
- 10 paintings?
- 11 A Yes.
- 12 Q Did Palmer know about that he was using that for
- 13 paintings, or did he not know what they were for?
- 14 A I believe he knew that it was to put the paintings
- 15 in.
- 16 Q Because you certainly talked to Palmer about
- 17 bringing your painting out, so he knew --
- 18 A Right.
- 19 Q -- there were paintings going back and forth.
- 20 A Yes.
- 21 Q Okay, but, again, just for clarity on the record,
- 22 as far as bringing things from the refrigerator or the
- 23 freezer out, there was never a discussion between you
- 24 directly with Palmer about what was in those items.
- 25 A No.

1 Q Okay.

2 A Just that it was hamburg.

3 Q Okay, and you do remember talking to the State

4 Police; that would have been the second day after, so June

5 7.

6 A Yeah, because the second day I went back out. I

7 looked at my husband that morning and I said, We need to

8 go out.

9 Q To go talk to the police again.

10 A Yes.

11 Q Okay, so you --

12 A And I went the following day too.

13 Q Perfect.

14 A I -- like I told you guys, I screwed up big time.

15 Q Well, like we talked about before, I don't want you

16 to -- I don't want you to break this up with crying at

17 this point. We've had a lot of time about that, so we've

18 discussed that before, but, hopefully, you're cried out at

19 this point a little bit, okay?

20 A Not really.

21 Q I understand, but we need you to stay focused with

22 us here. Okay? Because just like we talked about last

23 time, the main thrust of what we're trying to find out are

24 the steps entailed in bringing blades and then getting

25 them past multiple layers of security, back to the A

1 block. Okay? So just stay focused with me.

2 A I'm trying.

3 Q Okay.

4 BY [REDACTED]

5 Q Do you remember -- I know you -- I think we might
6 have talked about this before. I've certainly heard it in
7 your interviews with the State Police -- that Matt had a
8 back injury or a bad back?

9 A Yes. He said he had, I don't know, sciatic nerve
10 or something like that, something to do with his back.

11 Q Did he wear a back brace?

12 A I never saw him wear a back brace, but I mean he
13 could have had one that he wore when he was back in his
14 cell, I don't know.

15 Q He never mentioned a back brace to you?

16 A No, he never mentioned a back brace. Like I said,
17 he could have had one.

18 Q Is it -- is it possible that these six hacksaw
19 blades that we're talking about, that you put them -- I
20 know you've told us that you've put things in his drawer,
21 or the basket or a box that he kept by his work station.
22 Is it possible that that's how you recall you may have
23 made the transaction, handed him these hacksaw blades back
24 in February?

25 A It's possible. I had a lot of stuff going through

1 my mind with -- with everything that was going on. It's
2 possible. I'm not going to say that I didn't, I -- but
3 the only way he could have got them back, if they were in
4 full pieces, he would have had to have had them wrapped in
5 cardboard or something.

6 BY [REDACTED]

7 Q And why do you think the cardboard would help him
8 get those back?

9 A Well, he would have had to have Palmer go and get
10 the cardboard, but I mean otherwise they would have rang
11 when he went back through the frisker.

12 Q Okay, do you recall, though -- you must have had a
13 conversation where at some point where they said -- where
14 Matt said, We got them back, thank you. Anything like
15 that?

16 A No, he never said anything about we got them back.

17 Q Okay.

18 BY [REDACTED]

19 Q How often did Palmer bring cardboard from the
20 tailor shop to Matt's cell?

21 A If he -- if he had a picture that he need it.
22 There were several times that he would come in and grab
23 cardboard for -- for Mr. Matt.

24 Q Several times a week, several times a month?

25 A Well, not really a week or a month, just several

1 times during the time that I was there.

2 Q And were the -- was the cardboard, was it a
3 dissembled box or was it --

4 A Yes.

5 Q It was. What kind of dimensions are we talking
6 about?

7 A I don't know, you know, but it would be big enough
8 that the paintings that he did, you would be able to set
9 the, you know, set the painting right in it, and it would
10 all be covered. (Indicating.)

11 Q Okay, so I think you were indicating, maybe,
12 two-and-a-half feet by --

13 A Yeah.

14 Q -- feet?

15 A It would be like -- I'm trying to think what size
16 the paintings were. They were, it was either 16 by 20 or
17 11 by 16 were the paintings. I don't remember the exact
18 size, but that's -- but he would have the -- all taped up.
19 And, you know, he would take the cardboard and get it in
20 whatever size it was, and he would have it all taped up,
21 and then Mr. Palmer would come and get it and take it
22 back.

23 Q And when you say "all taped up," explain that. How
24 was it all taped up?

25 A Because he had them -- he had the pieces separate,

1 so, and he would just take tape and tape them together so
2 that they were -- it was -- it wouldn't be falling all
3 apart when Mr. Palmer was carrying it back. It would
4 just --

5 BY [REDACTED]

6 Q So you're saying two separate, flat pieces --

7 A Yes.

8 Q -- of cardboard, and then the painting would go
9 between the pieces --

10 A Yes.

11 Q -- of cardboard, and he would tape the sides so it
12 wouldn't fall out.

13 A Yes.

14 Q Correct? Okay.

15 A Yes.

16 BY [REDACTED]

17 Q And when Mr. Palmer was transporting these items
18 back, this cardboard back, who provided the tape for the
19 cardboard; is that available in the tailor shop?

20 A Yeah. It's the industry tape that's available.

21 Q And do you recall -- you said this happened several
22 times that Mr. Palmer brought cardboard --

23 A Yes.

24 Q -- back. Do you recall one in February of 2015?

25 Was that one of the times when Mr. Palmer brought the

1 cardboard back to Matt's cell?

2 A It could have been. I'm not going to say it's not.

3 [REDACTED] Are you saying you
4 don't recall or are you --

5 THE WITNESS: I don't recall, but it
6 could have. I mean, like I said, I'm not sure. It
7 could have, though. Like I told you, everything
8 just all came right where --

9 BY [REDACTED]

10 Q We can circle back to that too, I think. So we
11 were able to get the -- we found the Walmart again, credit
12 card transactions later on in 2015, so into May, and we
13 found exact dates when the same item, the dollar
14 ninety-seven package of 12-inch saw blades, was purchased
15 again. So I'll draw your attention, now that we've got
16 those transactions and the receipt, May 17, 2015, it was a
17 Sunday. Again, it was at the Malone Walmart. There are
18 multiple items that were purchased. We have the whole
19 breakdown for a total of \$71.09.

20 There are Reese's miniature candies, Kit Kat's,
21 Cafe Bustelo, a little bit of the Sweet'n Low packets.
22 There's a bunch of things that were in there, so that
23 total of 71.09, but one of the items purchased at that
24 time was a dollar ninety-seven saw blade package with two
25 12-inch saw blades, correct?

1 A Yes.

2 Q Okay, and in that case we know you used your debit
3 card, and it was at 2:47 p.m., and it also contained black
4 pepper, some other items. And did you also use like the
5 black pepper and the candies or the Cafe Bustelo; did that
6 find it's way into Matt as well?

7 A The coffee and the peppers, there would have been
8 coffee, peppers, a seasoned salt. I'm trying to think
9 what. There would have been seasoned salt, peppers, the
10 coffee, maybe candy once.

11 Q This might help you too because we --

12 A I, like I said, I --

13 Q It's hard to remember all of that, but we were able
14 to pull up, this is like all of the Walmart purchases for
15 the, you know, the last eight months or so, but can help
16 you with some of the pictures. We have all the receipts,
17 you know, from all the times that you purchased, debit
18 card, so like Cafe Bustelo.

19 A Yes.

20 Q So I'm going to mark this as IG's Exhibit, we'll
21 make this --

22 A The coffee would have went to Mr. Sweat.

23 Q Okay, so hold on just one second for me, just so I
24 can put this on the record. So we'll do this first, I'm
25 sorry.

1 We had previously been showing you IG Exhibit
2 number 1, and that was the February 16, three-page exhibit
3 showing the purchase of the six blades. And now I'm
4 showing you -- this one hasn't been marked yet, but we'll
5 call it --

6 [REDACTED] Two, perhaps?

7 Q Yeah, so we'll go to 4. Yeah, so we'll mark this
8 as IG Exhibit number 4, and that's a voluminous packet of
9 all of your Walmart receipts and documents, but what we
10 did in there as well is we pulled out -- we pulled up
11 photographs from the website --

12 (IG's Exhibit 4 was marked for
13 identification.)

14 A That's fine.

15 Q -- to help your recollection. So one of the things
16 that we were pointing to in IG Exhibit 4 is a packet of
17 Cafe Bustelo, and --

18 A Yes.

19 Q So going back to that exhibit, you started to talk
20 about specifically who got the Cafe Bustelo.

21 A That went to Mr. Sweat.

22 Q But it went through Mr. Matt, correct?

23 A It went through Mr. Matt.

24 Q Because at that time in May, David Sweat was not in
25 your tailor shop.

- 1 A Yes.
- 2 Q Correct? Okay, so, and there's, you know, images
3 of black pepper, you had talked about.
- 4 A That's mine.
- 5 Q There's Maxwell House cup. That's you for your
6 house?
- 7 A That's me.
- 8 Q Okay, so there's also Maxwell House, and that's the
9 thing about these.
- 10 A Yeah, it was \$71 worth. They would have been
11 groceries. That would have been my own too.
- 12 Q Exactly, so and that's -- and what she's referring
13 to for the record, what Mrs. Mitchell is referring to is
14 IG's Exhibit number 2, and that mentions -- and that shows
15 her purchases of \$71.09 at the Walmart in Malone on May
16 17, 2015 at about 2:47 p.m. So obviously, as we discussed
17 before, you're doing your regular grocery shopping at the
18 same time in May.
- 19 A Yes.
- 20 Q And you're buying a lot of items but including
21 pepper, including Cafe Bustelo, there's Band-Aids.
- 22 A Yes.
- 23 Q And then -- but then some of the things are
24 actually for your house too, correct?
- 25 A Yes.

1 Q Okay.

2 BY [REDACTED]

3 Q And how does the -- how does the coffee, how does
4 that get to Matt exactly?

5 A I just put it in his -- like I explained to you
6 before, underneath their tables by their machines, they
7 have boxes that like the thread came in or whatever, and
8 once it's empty they'll use it to put their coffee and
9 whatever in while they're there during the day.

10 Q Like a cup of coffee.

11 A Yeah, and I would just put it underneath there.

12 Q Just during the day, while they're at lunch, or
13 when would you do that?

14 A Either at lunch or when I first came in in the
15 morning, I would just go and put it in the box.

16 Q Before the officers --

17 A Before the officers came in.

18 Q And then how would he -- how would Matt transport a
19 container of coffee like that back to his cell?

20 A He would put it in his pocket, or stick it in
21 his -- his pants, or he might take a plastic bag off from
22 the, oh, the -- the thread, dump it in there because that
23 bag might go off, so --

24 BY [REDACTED]

25 Q But these items, like -- and one of the things I'm

1 showing to you in that, that packet marked 4 --

2 A The cards.

3 Q Playing cards, seasoned salt, coffee, in

4 particular, those wouldn't have ordinarily have set off

5 the metal detectors, correct?

6 A Right, because if there was -- like, if you open

7 the salt and if the -- if there was like a foil on top of

8 it --

9 Q Um-hum.

10 A -- he would peel that off and throw it away before

11 he would -- and then he would just stick them in his

12 pockets, or he would have another inmate carry some.

13 Q And did he specifically ask for playing cards,

14 because we didn't talk about that last time. There was a

15 couple different purchases of playing cards and

16 Bandaid-Aids and that sort of thing.

17 A The Band-aids were my -- for myself in the shop.

18 Q Okay.

19 A But playing cards, he did ask for playing cards.

20 Q Okay.

21 A I had completely forgot about that.

22 Q Okay.

23 A I apologize.

24 Q No, it's fine.

25 A Like I said, there was --

1 Q Well, it helps when -- once we have the receipts,
2 it makes it much easier because we can go through. And
3 certainly at one point, you may not even be completely
4 aware of it, but we were able to count through all of the
5 receipts, over -- a little bit over six months that there
6 were 70 different packets of just pepper.

7 A There was that much?

8 Q Over that much time, do you know what they were
9 using that much pepper for?

10 A They said they were using it to cook, and I know
11 Matt was using some of it to trade with other inmates
12 to -- for different things to give to Mr. Sweat.

13 Q Okay, because we do have one -- we interviewed the
14 inmates in your shop, and one of them pointed out that at
15 one point even said something to Matt because he looked on
16 his -- at his work station, and he could see 20 different
17 vials of pepper sitting there. Did Matt leave them out in
18 the open like that, or did he -- did he quickly --

19 A No.

20 Q -- hide them?

21 A He always had them hid, but I never took that many
22 at a time.

23 Q Could he have been ferreting them out like piece
24 meal and just hiding them around --

25 A He could have.

1 Q -- his desk?

2 A He could have, but I never took that many in at a
3 time.

4 Q During this time, I mean we're talking 70 peppers,
5 we're talking, as we can see in that list --

6 A I didn't realize it was that many.

7 Q It was over a period of time, but it probably --
8 that's why we wanted to go get those Walmart receipts
9 because --

10 A I understand.

11 Q -- it helped us break down all that.

12 A Right.

13 BY [REDACTED]

14 Q How many would you bring in at a time?

15 A Three, four, but I never -- I never brought in that
16 many at a time. I mean, like I said, three or four, but I
17 mean I know that they were using, supposedly. Some of it
18 was for when they were cooking, because they were allowed
19 to cook in A block, but -- and then I know he was trading
20 with other inmates for different, I don't know if it was
21 different food that they were getting on commissary or
22 what.

23 BY [REDACTED]

24 Q But you knew, as you were going through the things,
25 like playing cards, pepper, coffee could be used as

1 currency in the prison with other inmates.

2 A Yes.

3 Q Okay.

4 BY [REDACTED]

5 Q Was there -- I know we talked about this before as
6 well. In all the times that you're bringing these, you
7 know, they're contraband items --

8 A Yes.

9 Q -- through the gate, was there ever one instance
10 where a front gate officer saw something that you had to
11 explain?

12 A Not to my recollection. I don't remember any of
13 them ever saying anything to me.

14 Q Okay.

15 A But like I said, they didn't check our bags that
16 often.

17 Q Okay.

18 A About the only time they ever really, really
19 checked our bags or even our I.D.s was if there was a
20 sergeant, a lieutenant, a captain, the superintendent.
21 I'm sorry, I had to --

22 [REDACTED] It's okay.

23 A -- think of the word. But, yeah, that was really
24 the only time that they ever really, really did. Because
25 if we were going through and somebody come in and said the

1 sergeant's coming, the captains, then they would stand up
2 and they would have us open our bags. They didn't
3 actually physically, you know, get right in your bag.
4 They just --

5 Q Put their hands down in and --

6 A No, they didn't do that.

7 Q Even when the captain was standing by?

8 A No. They just -- like I said, my bag was, it had
9 to be at least this long.

10 [REDACTED] About two-and-a-half
11 feet long?

12 THE WITNESS: Yeah, and probably --

13 [REDACTED] A foot-and-a-half high?

14 THE WITNESS: Right.

15 A And I would just -- I'm sorry, I'm just -- I would
16 just unzip it and pull it open, and they would just kind
17 of look, and that was that.

18 Q Only if there's a -- only if there's an officer --
19 or a higher ranking officer?

20 A Only if there was a higher ranking. They never
21 really --

22 BY [REDACTED]

23 Q Regarding the Cafe Bustelo, did you say that Matt
24 would either stick it in his pants pocket or in his -- or
25 in the back of his pants?

1 A Yeah.

2 Q Or he would empty it into a plastic bag?

3 A Right.

4 Q Like that?

5 A Yes.

6 Q It's a rather brick. If he sticks it in his pants

7 pocket, is it evident that he's got a large item in his

8 pants pocket?

9 A Sometimes it is and sometimes it isn't, because a

10 lot of these inmates will wear bigger size shirts.

11 They'll wear bigger size pants. I mean I've had inmates

12 in my shop that aren't any bigger around than you, and

13 they're walking around with 2X pants on, it's like, and

14 they're constantly falling down, and you're constantly

15 saying pull your pants up, or get a belt on, you know.

16 But they will do that with the shirts too, because I've

17 had guys that needed a new shirt because theirs got ruined

18 in the shop, and they would -- if something happened in

19 the shop and their shirt got stained, like if they were

20 painting or something, if they had them painting and they

21 got paint on them, they would let us give them a different

22 shirt. And I've had guys that, no bigger than you, would

23 say I need a 3X shirt. And it's like, no, you don't need

24 a 3X. So, but a lot of the inmates will wear bigger

25 clothes, and that's how they're able to hide a lot of -- a

1 lot of stuff.

2 BY [REDACTED]

3 Q When Sweat was in the shop, before he got moved
4 out, I guess it was last September --

5 A Yes.

6 Q -- did any -- did you bring him in any, any things
7 like this, coffee, directly?

8 A No, not that I remember.

9 Q So he never asked you for, you know --

10 A No.

11 Q That only -- that all happened after he left?

12 A Yes.

13 Q And -- things. All of this is through Matt.

14 A Yes. Matt was the only one that really ever asked
15 to have things brought in.

16 Q What about when David Sweat was sending you -- I
17 know he was communicating with you --

18 A Yes.

19 Q -- by notes. Did he request things through his
20 notes like the coffee?

21 A He didn't request the coffee. It was the [REDACTED]
22 the little [REDACTED] that I told you about, and that was
23 pretty much it. The rest of it was basically -- Mr. Matt
24 was the one that said the blades and --

25 Q Yeah.

1 A It was more Mr. Matt requesting stuff than --

2 BY [REDACTED]

3 Q I was just going to go through it, yeah, because we

4 highlighted a couple of issues -- or images for you to

5 help you. In particular, what I'll say is, is this

6 something that you brought in for them, and --

7 A Okay.

8 Q If it's something that you used personally, tell us

9 that. If it was -- so there was a lot of the --

10 [REDACTED] Can you just tell me

11 what exhibit you're looking to go --

12 [REDACTED] Sure.

13 [REDACTED] -- through?

14 [REDACTED] This is all referring --

15 the following questions will be IG Exhibit number

16 4.

17 [REDACTED] Thank you.

18 [REDACTED] And that's a list of all

19 of the Walmart purchases.

20 BY [REDACTED]

21 Q So we talked about blades, the 12-inch blades.

22 A Yes.

23 Q We talked about Cafe Bustelo, and those are --

24 again, those are items that you brought into them.

25 A Yes.

- 1 Q Brown black pepper.
- 2 A Yes.
- 3 Q Multiple times with that ground black pepper.
- 4 A Yes.
- 5 Q Cayenne pepper.
- 6 A That would have been -- I would have brought one of
- 7 them in for them. I do remember bringing cayenne pepper.
- 8 Q There's a couple different times when there's
- 9 pinochle decks, like specifically pinochle.
- 10 A Yes.
- 11 Q Do you recall that?
- 12 A Those were for -- for Matt.
- 13 Q Okay. There's a seasoned salt.
- 14 A Seasoned salt, well, that could have been mine, or
- 15 it could have been one that I brought in because I use
- 16 seasoned salt all the time at home too.
- 17 Q Sure.
- 18 A So that could have been because I did -- like I
- 19 said, I did bring seasoned salt into them, but that could
- 20 have also been mine too. I --
- 21 Q Okay, that's fine, but there wasn't -- there were
- 22 times that you purchased that you did --
- 23 A Yes.
- 24 Q -- bring in seasoned salt. You can't --
- 25 A Yes.

1 Q -- remember those specific ones. You also used it
2 in your own home.

3 A Yes.

4 Q Okay, and we already discussed, the Maxwell --

5 A Yes.

6 Q -- House was your coffee.

7 A That was mine.

8 Q Okay.

9 BY [REDACTED]

10 Q They get the Cafe Bustelo, and you get the Maxwell
11 House?

12 A They like that, that Cafe whatever, but the Maxwell
13 House, I actually used that at work.

14 Q Oh, okay.

15 [REDACTED] Okay.

16 A That was what my officer liked, and that's what we
17 bought. I would buy one time, and he would buy the next
18 time.

19 BY [REDACTED]

20 Q Because there's regular playing cards, and there's
21 several -- there's a couple of different decks with
22 pinochle decks, so there's more than one kind of playing
23 cards; is that fair to say?

24 A The pinochle decks would have been the ones that I
25 took in, but the other ones would have been for me.

- 1 Q Been for you, okay.
- 2 A Yes.
- 3 Q And, obviously, there are times you're buying
- 4 ground beef.
- 5 A Yes.
- 6 Q Ground meat. Ground pepper, again, the Cafe
- 7 Bustelo. It seems like several, several different
- 8 purchases of that, so it's fair to say on multiple
- 9 occasions you brought in Cafe Bustelo, specifically?
- 10 A Yes. There would be possibly two packages at a
- 11 time.
- 12 Q Okay.
- 13 A Could be two and three, but and there would be at
- 14 least two packages.
- 15 Q Okay, and it looks like from purchases, for
- 16 example, on April 6, 2015, there is a ten-ounce brick of
- 17 Cafe Bustelo, a bright yellow package. Now, one of the
- 18 things I thought when I saw this -- I hadn't seen how
- 19 bright that was -- did you put it in a different container
- 20 for them, or did you bring it in in the --
- 21 A Sometimes I would put it in like a sandwich bag.
- 22 Q Okay.
- 23 A Not a sandwich bag, the storage bags.
- 24 Q Like a freezer bag or a --
- 25 A Yeah, like a freezer bag.

- 1 Q A zip-lock bag.
- 2 A Yes.
- 3 Q And just so the record is clear, the Cafe Bustelo
- 4 brick itself is like a neon yellow with very large writing
- 5 across the front in blue that says, "Cafe Bustelo," and
- 6 then there's also dramatically red coloring on there too,
- 7 but it's a --
- 8 A Yes, it's very bright.
- 9 Q -- brick of coffee. Okay.
- 10 A It's on the top shelf.
- 11 Q So it was -- it's fair to say it would be easier to
- 12 separate that into a separate package sometimes and then
- 13 bring it in.
- 14 A Yes.
- 15 Q Would you do that with pepper and spices too, like
- 16 take --
- 17 A No.
- 18 Q -- separate containers?
- 19 A No.
- 20 Q So you would give them the actual container.
- 21 A He would have the actual container.
- 22 Q Okay.
- 23 A And like I said, if it had the foil on the top of
- 24 it, Mr. Matt would peel it off.
- 25 Q And I know April 2, 2015, at Walmart again, there's

1 the Ultimate Survival Technologies Lensatic,
2 L-E-N-S-A-T-I-C, Compass. Do you remember that purchase?

3 A That would have been the compass, but I don't
4 remember ever taking that in.

5 Q Okay, you kept that at home?

6 A Yes.

7 Q Okay, but the purchase of the compass was for them,
8 correct?

9 A Yes.

10 Q But it never made it out of your house.

11 A No.

12 Q Okay, and was there a reason you didn't physically
13 bring that into them?

14 A That was at the point where Mr. Matt just started
15 getting where he was getting way too demanding and just
16 kept after me, and I stuck it in my -- in my drawer in my
17 kitchen.

18 Q Um-hum.

19 A And until one day when I happened to go through my
20 drawer, I even forgot that I had it in there.

21 Q And then did the State Police ultimately recover
22 that at your house?

23 A I believe so.

24 Q Okay. Again --

25 A Yes.

1 BY [REDACTED]

2 Q That was an item that you purchased. That was part
3 of -- that was going to be part of the equip --

4 A That was --

5 Q -- the gear that was going to be --

6 [REDACTED] Let him finish the
7 question.

8 THE WITNESS: I'm sorry.

9 [REDACTED] She's going nuts here,
10 so --

11 THE WITNESS: I'm sorry.

12 [REDACTED] Let him finish the
13 question.

14 Q You purchased the compass because that was going to
15 be part of the gear and the equipment that was going to be
16 in the car when you picked them up, is that correct?

17 A Yes, that's correct.

18 BY [REDACTED]

19 Q Okay, and another, just for example, because there
20 are similar things purchased all the time, but to draw
21 your attention to the same exhibit, on March 26, 2015
22 there's a five-pack of Bic lighters, and in particular
23 there's a bicycle two-pack card deck, and it says three
24 different packages of those. Do you recall that purchase?

25 A The lighters were for -- what we did is we used

1 them in the shop to -- like if there was a flaw or like a
2 little mark in the material, sometimes you could take a
3 lighter and brush over that spot, and it would fade it out
4 so that -- but everybody used them in the shops.

5 Q All the tailor shop workers.

6 A Yes.

7 Q Were they ever given to inmates to use?

8 A The only one that ever used it was my head
9 inspector, and he -- I would give it to him in the
10 morning.

11 Q Hum-um.

12 A And at then end of the day, he would give it back
13 to me.

14 Q Okay.

15 A They were kept in my drawer.

16 Q So is it fair to say that Matt and Sweat didn't
17 specifically ask for lighters?

18 A No.

19 Q For the --

20 A They didn't.

21 Q -- escape?

22 A No.

23 Q Okay, but here we see that there's three decks at
24 one time on March 26, 2015 of regular, standard playing
25 cards. Were those for them, or were some for them and

1 some for you?

2 A Some for them and some for me.

3 Q Okay. Again, here's an example on March 21, '15,
4 crushed red pepper.

5 A That would have been for them.

6 Q Another thing that came up which we weren't sure
7 about is the -- it's a thread seal tape; that was on --

8 A Most likely, that would have been for my husband
9 when he was doing -- when we were redoing our pipes
10 downstairs.

11 Q Okay.

12 A Because that's what --

13 Q Yeah, and just a lot more seasoning like we
14 discussed before. There's several times of Band-Aids are
15 found throughout. Was there some that went to your house
16 and then some went --

17 A Some went to my house, and some went into work. I
18 always kept Band-Aids in the drawer so that if the inmates
19 cut themselves or something happened --

20 Q Quickly give it to them without having --

21 A Right.

22 Q -- to go down to security.

23 A And, yeah, instead of having to call and have them
24 go to the hospital for to get a Band-Aid, because at one
25 point we were -- we were able to have Band-Aids,

1 Ibuprofen, non-aspirin.

2 Q Um-hum.

3 A I'm trying to think. It's like a cold medicine.

4 I'm trying to think what it was called. I can't think of

5 what it was -- but at one time we were --

6 Q Like a Benadryl or something like that?

7 A No, not really Benadryl. It was -- I can't

8 remember what it was called.

9 Q Robitussin?

10 A No, it was -- it was a pill --

11 Q Okay.

12 A -- that they could take that they have up in the

13 hospital, but at one time we were allowed to have them in

14 our shops so that if they had a headache or if they were

15 coming down with a cold or something --

16 Q Um-hum.

17 A -- we could give it to them, but then they wouldn't

18 let us have the Ibuprofen or the non-aspirin anymore. But

19 if they're getting -- if they cut themselves and, you

20 know, they have blood going all over, I would rather just

21 give them a Band-Aid even though I wasn't supposed to. I

22 would rather give them a Band-Aid than have blood all

23 over.

24 Q Sure, because it gets on -- it would get on some of

25 the items you're working on --

1 A Right.

2 Q -- too.

3 A And I mean, not only that, but you don't know what,
4 you know, if any of them have, you know, something.

5 Q Medical.

6 A Right.

7 Q Sure.

8 A You don't know if they have something medical, so
9 you want to make sure that -- because I mean if they
10 did -- like, we had one guy, he cut himself really bad,
11 and the first thing you do, I mean other than check to
12 make sure he's okay, is you call for the ones that come
13 and clean up the blood and everything. And they come in,
14 and they do their -- and you make sure that nobody is
15 around and nobody is touching it.

16 Q Um-hum.

17 A So, but, no, I would have Band-Aids in there, not
18 only for myself, but I would if they cut themselves.

19 Q And without going into every item in this over six
20 months of purchases at Walmart, it's fair to say that you
21 didn't always buy the same brand. There would be
22 different brands of crushed red --

23 A Yes.

24 Q -- pepper, different brand names of -- different
25 sizes of pepper, different brand names, is that fair to

1 say?

2 A Yes.

3 Q Okay, so I won't go through every single one, but
4 there are also different brands of salt and other
5 seasonings.

6 A Yes.

7 Q Okay, and then I will also draw your attention to
8 April 21 at Walmart as well where -- and I'll have this
9 marked as IG number 5, and what I'm showing you is a copy
10 of a road atlas.

11 (IG Exhibit 5 was marked for
12 identification.)

13 A Yes.

14 Q That was purchased at Walmart by you, and I'm
15 showing you the picture now just for the record.

16 A Yes.

17 Q Is that the road atlas that you were talking about
18 the last time we discussed that you brought into Matt?

19 A Yes.

20 Q Okay, so you purchased it at Walmart, and did you
21 bring it in in the same form we're looking at there?

22 A Yes.

23 Q So, because that was one of the questions we had,
24 and you had discussed in your last conversation with us
25 that Matt took it right to his desk and reviewed it for

1 several minutes; I think you said ten or fifteen minutes
2 even.

3 A Yeah, he had it for a few minutes. I don't
4 remember exactly how many minutes, but he did have it for
5 a few minutes, and then he come back and told me it's not
6 what they wanted.

7 Q And I would just note for the record as well that
8 this is a very -- it's a glossy road atlas with a spiral
9 bounder -- bind --

10 A Yes.

11 Q -- on the side, and it's glossy paper all the way
12 through with bright colors, a big picture of palm trees
13 and a beach on the front. It says, "Rand McNally Road
14 Atlas." And, as we discussed last time, that certainly
15 isn't allowed into the facility.

16 A No, it is not.

17 Q So one of our concerns afterwards is when he's
18 sitting at his desk, he's at his normal work station when
19 he's reading that, correct?

20 A Yes.

21 Q And where is CO Trombley at this time?

22 A He would have been at his desk, sitting next to me.

23 Q And he wasn't covering this -- I'm saying Matt, in
24 particular. Matt wasn't covering this with a newspaper or
25 another magazine to disguise it?

1 A I really wasn't paying that close of attention, but
2 Matt usually didn't hide too much stuff. Like I told you
3 guys before, Mr. Matt had a lot of power and --

4 Q Yeah.

5 A But I mean I really wasn't paying that close of
6 attention. I just know that he had it, but Matt, he could
7 have had -- he could have been like this at his desk or --
8 (Indicating.)

9 [REDACTED] She can't take pick
10 that up --

11 THE WITNESS: Oh.

12 [REDACTED] -- on --

13 THE WITNESS: Sorry.

14 A He could have just been leaning back with it down
15 kind of under his desk.

16 Q But it's fair to say he was on the tailor shop
17 floor at his work station reading --

18 A Yes.

19 Q -- this very colorful road atlas, correct?

20 A Yes.

21 Q And Trombley didn't pull it away from him or tell
22 him it's inappropriate.

23 A No.

24 Q Okay, and when he returned it back to you, where
25 were you located?

1 A At my desk.

2 Q And you're up on the platform, correct?

3 A Yes.

4 Q And we do have photographs too. We took pictures
5 of the platform itself. Okay, so I'll mark this as well.
6 So now I'm going to show you IG's Exhibit 6, and do you
7 recognize that photograph?

8 (IG's Exhibit 6 was marked for
9 identification.)

10 A Yeah, that's mine. My desk is over -- I'm trying
11 to -- okay, Officer Trombley is where the time cards are
12 out in front.

13 Q All right, hold on one second, just so I can
14 describe it for the record because obviously they can't
15 see it, is I've shown you in IG's Exhibit 6 a photograph
16 of a raised platform with two chairs behind it, and you've
17 identified that as the platform that you and CO Trombley
18 would sit on in tailor shop 1, correct?

19 A Yes.

20 Q Okay, so in describing where you sat, there's two
21 chairs. There's a red chair, and there seems to be like a
22 darker chair --

23 A Yes.

24 Q -- as well. So is the red -- you were pointing out
25 the red chair is CO Trombley's?

- 1 A Yes.
- 2 Q Okay, and the other darker chair to the right side
3 when you're facing the podium is where you sat?
- 4 A Yes.
- 5 Q Okay, so when Mr. Matt came up with the atlas, were
6 you sitting in your chair on that platform?
- 7 A Yes.
- 8 Q And was Mr. Trombley sitting in his red chair to
9 your right?
- 10 A I don't remember exactly. He could have been, but
11 Matt was always pretty shifty when he came up to my side
12 of the podium.
- 13 Q But, certainly, CO Trombley was in tailor shop 1 --
- 14 A Yes.
- 15 Q -- while that atlas was out and Mr. Matt was
16 reading it.
- 17 A Yes.
- 18 Q Okay.
- 19 [REDACTED] Can I take a look?
- 20 [REDACTED] Absolutely.
- 21 Q Okay. I wanted to come back to the -- we got a
22 little off. I wanted to stick with the -- we'll go back.
23 These have previously been marked. I wanted to draw your
24 attention now, we're talking about the third purchase of
25 blades based on the Walmart receipts that we've

1 registered. So now I've marked a document, an exhibit,
2 IG's number 3, and this relates to a Thursday, May 28,
3 2015, and this -- we also have contained in this exhibit,
4 it's a -- 1-2-3-4-5 -- six-page document, and attached to
5 the very last page of that document is a time-off request
6 from you that shows you took a half day that day and that
7 you left at 11:45. Do you recognize that?

8 A It would have been a doctor's appointment that I
9 went to.

10 Q Okay, because what -- on that same day, what I'm
11 showing you on page 6 of that, of IG's Exhibit 3, is a
12 time-off request, and you made the request on 5/26 to have
13 that -- have the 28th day of May in 2015, that you would
14 leave at 11:45, is that correct?

15 A Yes.

16 Q Okay, and you remember making that request?

17 A Yes. It would have either been a doctor or a
18 dentist.

19 Q Sure.

20 A One of the two.

21 [REDACTED] Joyce, move your hand.

22 THE WITNESS: Oh, I'm sorry.

23 [REDACTED] It's all right.

24 Q And is your signature contained on that document?

25 A Yes, it is.

1 Q Okay, so what we were able to find, and this is
2 what was so helpful with the receipts is going back, is on
3 that same day -- again we're talking about Thursday, May
4 28, 2015 -- after you've taken the half day, so you get
5 out at about 11:45, you use your debit card at 1:06 p.m.
6 at register 9. It was listed as transaction number 3839,
7 and you bought groceries, but as well as the groceries you
8 also bought one package of two saw blades again for \$1.97
9 for a total of \$16.30. Again, that's at 1:06 p.m., and we
10 have that. You know, it lists several things that you
11 purchased. And then do you recall that transaction with
12 those saw blades at that time? We're talking again May
13 28.

14 A I don't really recall the dates, but I do recall
15 purchasing.

16 Q Okay.

17 A And all the blades I got, I got from Walmart.

18 Q Okay. We thought it might help you with that half
19 day off that you would have been able to make it to the
20 Malone Walmart again.

21 A If, if it was that half day, it would have been the
22 day that I went to the dentist, so I would have been able
23 to --

24 Q Do both.

25 A Yes.

1 Q And would -- if you recall, as you sit here today,
2 would Lyle have been with you or you -- would you have
3 driven --

4 A No.

5 Q -- separate cars because you had to leave early?

6 A I would have been by myself.

7 Q Okay, so that was a \$16.30 purchase of 1:06 p.m.
8 And then there was a second purchase that day, and we have
9 the receipt from that as well. I don't want to confuse
10 these. Just a little -- here it is. Okay, so then
11 there's a Walmart on page 3 of IG's Exhibit 3; it shows a
12 separate purchase. This one was with your credit card,
13 Joyce Mitchell's credit card, and that's at 1:07, and 18
14 seconds, p.m., so immediately after the first one, the
15 same register. So you must have made one purchase and
16 then made the second one about a minute later, but this
17 purchase contained nothing but another saw blade and black
18 pepper. So there were nine black pepper containers and
19 two blades in one package for 1.97, so two twelve-inch
20 blades. That's how they were always came in or --

21 A Yes.

22 Q Okay, and then there's also ground chuck. Is that
23 some of the meat that you used to put blades in, if you
24 remember if it was the same purchase, or you used other
25 meat?

1 A The meat? I don't remember buying -- well, no, I
2 take that back, I'm sorry. I did get one package of the
3 hamburger from Walmart, but the other package I got from
4 Price Chopper.

5 Q Price Chopper, okay.

6 A Yes.

7 Q And that was the first -- do you remember which one
8 you got -- this is a May 28 purchase.

9 A The first, the first hamburger came from Walmart, I
10 believe.

11 Q Okay.

12 A Yes.

13 Q We're talking about for the February, the February
14 blades? I don't want to mix them up.

15 A No. It would have been the ones that I broke in
16 two. I don't remember doing those February ones, but I
17 must have.

18 Q All right, but so for the May blades, you think it
19 was two different purchases of meat, as you sit here
20 today, trying to think back, correct?

21 A I do know that the very first -- the blades that I
22 put in the hamburg, the very first ones, the hamburg came
23 from Walmart.

24 Q Okay.

25 A And like I said, I don't remember the other two

1 blades, but --

2 Q Okay.

3 A Apparently, I had more than --

4 [REDACTED] When you say "the other
5 two blades" --

6 THE WITNESS: The ones that he was
7 talking about in February.

8 [REDACTED] The six -- six --
9 six -- three packets, two each.

10 [REDACTED] Of two each.

11 [REDACTED] Six blades purchased
12 in February.

13 [REDACTED] Right.

14 [REDACTED] And then we discussed
15 another blade purchase on May 17 previously with
16 one pack of two blades.

17 [REDACTED] Yup.

18 [REDACTED] And then and now we're on
19 May 28. There are two separate purchases, and the
20 first purchase at 1:06 p.m. at register 9, there is
21 a purchase of two saw blades and other items.

22 [REDACTED] No.

23 [REDACTED] Did I mix that up?

24 [REDACTED] Yes. It's just a
25 purchase of food.

1 [REDACTED] Just regular groceries.

2 MS. MITCHELL: Right.

3 [REDACTED] Okay, and that's with a
4 debit care. And then at the same register,
5 register 9, at 1:07 and 18 seconds, that's where
6 there is a purchase of nine black pepper
7 containers, two more blades and the ground beef,
8 and that's a receipt here. So again, a single
9 purchase with two blades in one package.

10 [REDACTED] Right, so these two
11 separate transactions, did each transaction include
12 a package of two blades? Is that what you're
13 saying?

14 [REDACTED] On 5/28 there was one
15 transaction with her --

16 [REDACTED] Just groceries.

17 [REDACTED] -- debit card, which is
18 just groceries.

19 [REDACTED] Okay.

20 [REDACTED] Following immediately,
21 within one minute or less, by a credit card
22 transaction which has ground beef, two blades, one
23 package of two blades.

24 [REDACTED] Two blades.

25 [REDACTED] And nine peppers.

1 [REDACTED] Got you.
2 [REDACTED] That was February 28, so
3 that's March --
4 [REDACTED] May 28.
5 [REDACTED] I'm sorry.
6 [REDACTED] May 28.
7 [REDACTED] May 28, that's almost a
8 week before the escape.
9 [REDACTED] Okay, understand now.
10 Thank you.
11 BY [REDACTED]
12 Q Does that -- now does that refresh your
13 recollection that there was -- you were at the same
14 register. You made one purchase --
15 A Yes.
16 Q -- with your debit, and then you do it with a
17 credit card?
18 A Yes.
19 Q Okay, and one of the questions we had about that,
20 did Matt, or Sweat through Matt, make a specific request,
21 Hey, we need more blades?
22 A Yes. I told you that they wanted -- they wanted
23 more blades.
24 Q So they had -- just, I just want to be clear. So
25 the earlier blades in February were to get them out of

1 their cell, correct?

2 A Yeah, I guess.

3 Q And then the blades -- what did they tell you about

4 how -- they already told you that they were out of their

5 cell, but then that they needed more blades, correct?

6 A Right.

7 Q And did they tell you specifically, was that for

8 the steam pipe? Is that what they said? I don't want

9 to --

10 A They --

11 Q -- put --

12 A No.

13 Q -- words in your mouth.

14 A They didn't tell me what --

15 Q They just said they needed more blades.

16 A Yes.

17 Q So they said at one point we're out of our cells

18 but we need more blades, and you brought in more blades --

19 A Yes.

20 Q -- at the end of May. Okay, and that's what we're

21 trying to clarify, but during that entire time you're not

22 communicating directly with Sweat; you're only talking to

23 Matt.

24 A I'm only talking to Matt, yes.

25 Q There's letters back and forth from you and Sweat.

1 A Yes.

2 Q But as far as details about what to bring in, that

3 was all through Matt.

4 A That was all through Matt.

5 Q Okay.

6 [REDACTED] Interrupt?

7 [REDACTED] Sure.

8 BY [REDACTED]

9 Q You mentioned you purchased one package of meat

10 from Walmart in Malone, New York.

11 A Yes.

12 Q The other package of meat from Price Chopper.

13 Where is that Price Chopper?

14 A In Malone.

15 Q In Malone? And do you recall a rough date of when

16 you might have purchased the meat from the Price Chopper

17 in Malone?

18 A That would have been the -- the last saw blades

19 that went in.

20 Q So that would --

21 A I'm not sure what that date is, I'm sorry.

22 Q If the one we just reviewed was for May 28, and

23 that's you're buying meat, pepper and a blade at Walmart,

24 that's the week before the escape, you're saying you

25 bought another one after that?

- 1 A No, maybe Price Chopper was before the --
- 2 Q Okay.
- 3 A But I do know those -- that's the two places that I
- 4 bought the hamburg.
- 5 [REDACTED] The hamburger.
- 6 A One was at Walmart, and one was at Price Chopper.
- 7 Q When you shop at Price Chopper, do you typically
- 8 use your credit card, your debit card or cash?
- 9 A Sometimes, it depends. I don't always use the same
- 10 thing.
- 11 Q Sometimes do you use cash?
- 12 A Yes.
- 13 Q Okay, you don't recall or do you recall what you
- 14 used on this particular occasion?
- 15 A I don't recall.
- 16 BY [REDACTED]
- 17 Q On May 28, why do you use a different card for the
- 18 blades, the meat and the pepper?
- 19 A Why was it my credit card?
- 20 Q Well, you've just --
- 21 A I might have --
- 22 Q You've just made one -- you've purchased groceries
- 23 with your debit card, and then immediately you must have
- 24 the pepper and the saw blades and the meat in your basket,
- 25 but you separate them and buy -- and pay for those with

1 your credit card.

2 A I guess I just did it because it was -- I was
3 buying for them.

4 BY [REDACTED]

5 Q Do you retain your receipts after you make a
6 purchase?

7 A Sometimes I do. Sometimes I don't.

8 Q Does Lyle review those receipts?

9 A No.

10 Q Would you -- and do you recall taking the second
11 receipt and destroying it?

12 A I probably did. I most likely I -- I did throw it
13 away. I'm trying to be as helpful as I can. Like I said,
14 I know I screwed up big time, and --

15 Q You have one debit card and two credit cards, is
16 that correct?

17 A What do you mean, two credit cards?

18 Q SECOM, SECOM is your --

19 A Yes.

20 Q And do they issue two credit cards, maybe one for
21 Lyle and one for you?

22 A Yes.

23 Q Would Lyle ever be buying pepper?

24 A No.

25 Q Never.

1 A Only if he was grocery shopping with me, and then
2 we would have used the debit card.

3 Q Does Lyle maintain his card and you maintain your
4 card?

5 A Yes.

6 Q So if I were to see purchases of pepper on Lyle's
7 card --

8 A It would be for home.

9 Q In large quantities?

10 A Unless he was with me. Sometimes if my card didn't
11 go through, we would use his.

12 Q And would he wonder why you were buying eight
13 bottles of pepper?

14 A I don't remember buying that many at a time, but
15 obviously I did, and he might not have been with me that
16 day.

17 Q But, yet, his card was used.

18 A His card was used?

19 Q Um-hum, yes.

20 BY [REDACTED]

21 Q Is there a chance that -- I mean I've used my
22 wife's card before. Could you have accidentally used his
23 card?

24 A I could have, or he could have been with me, and
25 between buying for to take in to them and what we buy for

1 home, because we -- my husband uses a lot of black pepper.
2 I use a lot of black pepper because I cook all the time.
3 I mean, obviously, I haven't the last few months, but --
4 but Lyle knew nothing about what I was -- what I was
5 doing.

6 BY [REDACTED]

7 Q When I was looking at these receipts and I looked
8 back to see how much black pepper I use in my house, and I
9 can't tell you the last time I bought black pepper because
10 we go through it so slowly, and I would never buy any more
11 than one --

12 A Not in my house. We go through it a lot.

13 Q You do, okay.

14 BY [REDACTED]

15 Q And if I was unfair on the record before, I just
16 wanted to point out that, again, on the May 28 -- this is
17 IG Exhibit 3, on the May 28, '15, Thursday, purchase, the
18 first one was a debit card, Joyce Mitchell's debit card,
19 and that was at 1:06 p.m; it was transaction number 3839
20 at register 9, and that was grocery items. A minute
21 later, at 7:07, and 18 seconds, at the same register,
22 number 9, transaction number 3840, you used your credit
23 card to buy two blades in one packet, nine peppers and
24 ground beef, correct?

25 A Yes.

1 Q Okay. One of the other things we're -- so we've
2 gotten -- now we know that Price Chopper, that's the first
3 we heard that there was, maybe, a Price Chopper purchase
4 of meat separate from Walmart. Where did you buy, like,
5 the chisels and the punch and that sort of thing to put in
6 the meat?

7 A The chisels and the punch, I believe, came from,
8 like I told you, I don't remember if it's called Farm and
9 Family or Central Tractor in Malone. You have Walmart,
10 and then as you -- if you're coming from, like, say here,
11 and you're going to Malone, you're coming up to Malone
12 from downtown, you would go past Walmart, and then it
13 would be, like I said, it's either Family -- Farm and
14 Family or it's Central Tractor.

15 Q Because we have your credit card and debit card
16 transactions from all of those stores, but it doesn't show
17 the chisel. Did you use cash in that instance when you
18 bought the chisels and the punch?

19 A I may have.

20 BY [REDACTED]

21 Q Would you have bought it on the same day that you
22 purchased the meat from Price Chopper?

23 A Yeah, I believe so.

24 Q And that meat that you bought at Price Chopper
25 would be used to hold the chisels --

- 1 A Yes.
- 2 Q -- and the punch.
- 3 A Yes.
- 4 Q Would it also hold the blade?
- 5 A Yes.
- 6 Q So one -- when you purchased meat once, it held one
- 7 or two chisels? Which would it be?
- 8 A It had the -- it had the saw blades and the chisel
- 9 and the punch.
- 10 Q I'm sorry, a chisel or chisels?
- 11 A I don't remember if I had -- I thought I only had
- 12 one chisel and one punch.
- 13 Q And would there also be a concrete drill bit in
- 14 that meat?
- 15 A No.
- 16 Q So did you ever purchase a concrete drill bit?
- 17 A [REDACTED].
- 18 Q And the second package of meat would have merely
- 19 contained blades.
- 20 A Yes.
- 21 Q Okay, and in both instances you recall -- and I
- 22 don't want to put words in your mouth -- you were saying
- 23 that you broke them?
- 24 A I broke them in two.
- 25 Q Going back to the package from -- that contained

1 the chisels, you do not recall anything to do with a drill
2 bit?

3 A No.

4 Q Did Matt ever ask you to purchase a drill bit?

5 A [REDACTED].

6 Q Did he ever say that he had encountered a concrete
7 wall and I needed to drill into it?

8 A No. The only thing he told me was, once they got
9 down there, was that they found a tool box and that
10 Mr. Sweat had picked the lock on it, and there were power
11 tools and everything they needed in that.

12 Q Because Sweat tells us that you provided a drill
13 bit.

14 A [REDACTED] That was the only thing I
15 ever --

16 Q Separate and apart from the [REDACTED], and it's a
17 different transaction, and it's months later.

18 A I don't remember buying any concrete drill bit.

19 Q Okay. Did you ever do any research online for a
20 drill bit, do you recall?

21 A I could have. I did research a lot on different
22 things, so I could have. I'm not saying I did. I'm not
23 saying I didn't, I'm just -- I could have. Anything's
24 possible.

25 Q Okay, I think we have an exhibit I would like to

1 show you.

2 BY [REDACTED]

3 Q Are there other stores in the area that you might
4 have -- that you've forgotten? Like, is there a Home
5 Depot or a Lowe's nearby?

6 A Home Depot and Lowe's are either Potsdam or
7 Massena. I mean, like I said, I could have purchased it
8 and don't remember it.

9 [REDACTED] Okay.

10 Q We're talking about now the concrete bit.

11 A Yes.

12 [REDACTED] We're at 7 now.

13 BY [REDACTED]

14 Q Did you ever shop at Arnold's, Arnold's Lumber, a
15 lumber hardware store?

16 A Where's that?

17 Q I guess you didn't then. In Malone.

18 A Arnold's? I've never even heard of it.

19 Q Okay.

20 BY [REDACTED]

21 Q Well, let's ask it a different way. Other than
22 Walmart and Tractor's Supply, would you have purchased
23 anything in any other store near or around your home?

24 A Not unless it was Home Depot in Massena.

25 Q Would you go to Home Depot in Massena?

1 A Well, my husband and I would, yes. We would
2 because that's where we get all of our stuff when we're --
3 or Lowe's.

4 Q Every now and then you do shop at Lowe's --

5 A Yes.

6 Q How about when you went visiting some family, would
7 you purchase anything around their homes?

8 A Everyone lives right around me.

9 Q Okay.

10 A So.

11 Q Okay, thank you.

12 BY [REDACTED]

13 Q The Malone Price Chopper, how close is it to either
14 Home Depot, Lowe's or the Tractor Supply?

15 A Is it Lowe's? Lowe's is right next to Walmart.

16 Q No, the Price Chopper, the Malone Price Chopper.

17 [REDACTED] Okay, that's what I --

18 [REDACTED] I'm sorry.

19 A Okay, the Malone Price Chopper is on Finney
20 Boulevard right next to the fire station, but you would
21 have to go uptown, up by Walmart, to go to Lowe's.

22 Q Okay, and for Home Depot, how far away is that from
23 the Malone Price Chopper?

24 A Home Depot is in Massena.

25 Q Okay, so it's a distance.

1 A Yes.

2 Q And the Tractor Supply?

3 A Is right next to Walmart.

4 [REDACTED] You're talking about in
5 Malone.

6 THE WITNESS: Yes.

7 [REDACTED] Yes, I am.

8 [REDACTED] Okay.

9 Q The Malone Price Chopper, is there a hardware store
10 or anything anyplace that you could buy chisels that is
11 near to it that you would have gone to?

12 A It would have had to have been Farm and Family,
13 because that's the only --

14 Q Okay.

15 A Yeah, because it would have either been Farm and
16 Family, or it would have been Lowe's.

17 Q Okay, so I'd like to mark this Exhibit 7. And
18 this, we're about to show you, are reprints of items that
19 somebody had searched for on your home computer. I would
20 like to draw your attention to the second page of four
21 pages, and that is a drill bit. Does that refresh your
22 memory of anything you might have searched for?

23 (IG's Exhibit 7 was marked for
24 identification.)

25 A I could have searched for it, but I don't remember

1 searching for it.

2 Q If you flip the page, there's another drill bit,
3 and if you flip the page to the last page, there's yet
4 another drill bit. There's three searches done on 5/17,
5 5/17 and 5/28 2015. Does this refresh your recollection?

6 A I could have searched them, but I don't -- I never
7 bought any.

8 Q You never bought any, okay.

9 A That I -- that I remember.

10 BY [REDACTED]

11 Q Because the 5/17 was also the Sunday, one of the
12 purchases at the Walmart in Malone?

13 A I don't remember, but like I said, I could have,
14 but I don't remember.

15 Q The 5/28 was that other purchase as well at the
16 Walmart in Malone, just for reference for you.

17 A I don't remember buying those.

18 Q Also, I believe if you go to the -- is that the --
19 yeah, May 17, so May 17 --

20 [REDACTED] This says May 17, and
21 this says May 17, and this says May 28.

22 Q So could you have researched those before you went
23 to the Walmart in Malone and purchased them at a different
24 location?

25 A I could have, but I don't remember buying any drill

1 bits.

2 Q Do you remember going online and looking up items
3 like that?

4 A No, but obviously I must have.

5 BY [REDACTED]

6 Q Do you remember Matt telling you that Sweat had
7 discovered a tool box in the tunnels?

8 A Yes.

9 Q Do you remember around that time?

10 A I don't remember the exact date, but I do remember
11 that he said that they had found a tool box, and Mr. Sweat
12 picked the lock, and there were tools in it.

13 Q Did he tell you what type of tools?

14 A He just said power tools. He didn't say what they
15 were. And he said that Mr. Sweat was really excited that
16 they had found them, but when they went back the next day
17 they were gone, and Mr. Sweat was really upset, but I
18 don't know if it was exactly the next day after that or a
19 couple -- it was back there.

20 Q In or around that time, did you recall either Matt,
21 or Matt asking you, or Sweat asking you through Matt, for
22 a drill bit, for a drill found in that tool box?

23 A I don't remember, but I mean he could have.

24 Q Okay.

25 BY [REDACTED]

1 Q You understand our --

2 A I understand.

3 Q When you look at all of the receipts and then we

4 see --

5 A I understand.

6 Q -- searches on the same exact date for items that

7 Sweat has told us that were requested of you.

8 A I understand completely.

9 Q Honestly, we thought you would just say, oh, yes, I

10 remember now.

11 A I don't really remember, but it's -- this has been

12 a nightmare that -- it's just been a nightmare.

13 Q But do you remember sitting at your computer at

14 different times, maybe not that exact date, but looking up

15 tools?

16 A I could have. I could have been looking up to see

17 what it was that they were requesting.

18 Q Okay, and that would be your home computer in your

19 home.

20 A Yes.

21 Q Right? So you would be doing internet searches

22 because we found them, obviously.

23 A Right.

24 Q It's more than just coincidental. Lyle wouldn't be

25 looking at the same time, doing a Google search.

1 A No.

2 Q Was Lyle known to do searches for items online like
3 that?

4 A Yes.

5 Q Sometimes?

6 A Yes.

7 Q Okay.

8 A We all did. I mean, even like when I was, you
9 know, going to buy him or my son's tools, I would get
10 online and research different ones to see, you know, which
11 was the better brand, you know, because I did buy a lot of
12 tools for my husband and for my kids.

13 Q Because we were able to also find, like you talked
14 about before, [REDACTED] way back on February 16 on the
15 computer you did a search for those as well. Do you
16 recall making that search for [REDACTED]?

17 A Yes.

18 Q Okay, so you're just having trouble remembering --

19 A Yeah.

20 Q -- later in May.

21 A Yeah, I just -- like I said, everything was just --
22 you have to remember, when he started threatening my
23 husband, I just -- everything just kind of went into, I
24 don't know, turmoil, if you want to say.

25 BY [REDACTED]

1 Q Can I take you back to the day that you went to the
2 Malone Price Chopper and purchased the ground beef? In or
3 around that time, you also purchased the chisels and the
4 punch, is that correct?

5 A I don't remember if the chisels and the punch were
6 that day or if it was saw blades.

7 Q Okay. When you did buy the chisels, do you recall
8 if they were a chisel, or were they in a pack, a set of
9 chisels, was it a single chisel, was it in a blister pack
10 or a cardboard pack? How was it when you purchased it?

11 A It was, I believe it was just a single one.

12 Q A single chisel. Well, did it have -- was it --
13 did it have like a plastic?

14 A No, it didn't have anything on it.

15 Q Okay.

16 [REDACTED] I never heard of that.

17 [REDACTED] Like cardboard with a --

18 [REDACTED] Yeah.

19 [REDACTED] -- plastic.

20 [REDACTED] I never heard it called
21 that. Okay, I'll have to remember that.

22 [REDACTED] Probably, only for
23 drugs.

24 [REDACTED] Another
25 case.

1 [REDACTED] Yeah, a different case.

2 Q And the punch, do you recall the punch? Was it a
3 single punch or multiple punches?

4 A I believe it was just a single punch.

5 Q And if I show you a punch, a set of punches that I
6 purchased at Walmart, could you tell me if these appear to
7 be like the ones that you purchased?

8 A I may be able to.

9 [REDACTED] We're going to mark this
10 Exhibit 8.

11 (IG's Exhibit 8 was marked for
12 identification.)

13 Q What we're showing you is -- it's a repack. It's
14 called "center prick punches," and they're varying sizes,
15 and they have pointy ends. Does that appear to be the
16 type of punch that you purchased?

17 A I don't remember them having pointy ends. That was
18 just a --

19 THE COURT REPORTER: I can't hear you.
20 Say it again.

21 THE WITNESS: I'm sorry. I don't
22 remember having a pointy end.

23 Q Was it roughly -- are they roughly the size of the
24 punch that you purchased? There are three different sizes
25 in there.

1 A I think the bigger one.

2 Q So the largest one.

3 A I believe.

4 Q Okay.

5 A Like I said, I don't -- I brought them into them,
6 and I guess I just kind of forgot what they looked like
7 afterwards. I just -- this was all a nightmare.

8 (Discussion was held off the record.)

9 (IG Exhibits 9, 10, 11 and 12 were marked
10 for identification.)

11 Q So showing you Exhibit number 9, this is either a
12 nail set or a small punch. Is this more of the shape of
13 what you provided to --

14 A Yes.

15 Q -- Matt?

16 A Yes.

17 Q And, yet, the size, though, is a much larger size.

18 A It was bigger around, yes.

19 Q Okay, so we're talking, what do we think, five to
20 six inches?

21 A Yes.

22 Q And you think maybe one of these or two?

23 A I think, one.

24 Q Okay, it's a pretty, a pretty -- it's a pretty
25 hefty item. No? Do you agree?

1 A Yes.

2 Q Okay, and then with chisels, and I'm going to show
3 you Exhibit number 10, and this is a three-pack of chisels
4 I purchased from Walmart.

5 A Right.

6 Q Does this refresh your recollection of anything you
7 might have purchased?

8 A I didn't buy it -- I don't remember buying a
9 three-pack.

10 Q Okay.

11 A But I believe it was like this size. (Indicating.)

12 Q So the middle size chisel.

13 A Yes.

14 Q Probably, about five inches, would you agree with
15 that?

16 A Yes.

17 Q Okay. One or two of those did you purchase?

18 A Pardon?

19 Q Did you purchase one or two of these chisels?

20 A I believe it was only one. That I got from -- I
21 believe I got that from Farm and Family.

22 Q Farm and Family, okay.

23 [REDACTED] Tractor Supply now.

24 THE WITNESS: Yeah.

25 [REDACTED] Correct?

1 THE WITNESS: Yes, I'm sorry.

2 Q David Sweat tells us in testimony that he -- that

3 you provided two of these chisels.

4 A It could have been two.

5 Q Okay.

6 A I'm -- I don't remember. I really don't remember.

7 Q Okay, and when the punch and one or two chisels

8 were placed by you inside of the hamburger meat. There

9 was also two hacksaw blades in that meat?

10 A Yes.

11 Q So did you have to take the meat apart, or did you

12 merely slide these inside the meat?

13 A I just slid them in.

14 Q And so is the meat noticeably heavier now, the

15 package?

16 A Yes.

17 Q Okay, and this you brought in through the front

18 gate of Clinton Correctional Facility?

19 A Yes.

20 Q And you were not observed bringing it in?

21 A They never checked my bag or anything.

22 Q Okay, and do you recall this particular one with

23 the chisels, is this the one that you left in the

24 refrigerator?

25 A The one with the chisels, I left in the freezer,

1 and that was the one that Mr. Palmer was going to pick up
2 on a Saturday because he wasn't there on a Friday.

3 Q Okay, and so you left it on a Friday?

4 A Yes.

5 Q And on Saturday Mr. Palmer was going to pick it up?

6 A Yes. Mr. Matt told me that Mr. Palmer was going to
7 come in and get it on Saturday, to leave my refrigerator,
8 because it's the two-sided door refrigerator and freezer,
9 leave it unlocked, and Mr. Palmer would come in and get
10 it, or he would bring him over to get it.

11 Q Okay, and a rough idea of what date this might have
12 been?

13 A It would have been -- I'm not sure what day it was.
14 I'm not sure how much ahead it was before they escaped, I
15 don't remember.

16 Q What about in relation to Easter, would that --
17 would that refresh your memory?

18 A I truly don't remember.

19 Q Okay. Do you think somebody like Mr. Palmer
20 picking up meat that is noticeably heavier than it should
21 be would be something that he would notice?

22 A It seems like he would, but I can't tell you what
23 Mr. Palmer was thinking or -- other than, I don't know if
24 he had any idea that anything was in the meat or not.

25 Q Okay, other than the meat on this particular

1 occasion, when you're bringing in meat with chisels and
2 the punch in it and hacksaw blades, was there anything
3 else in that that was given to Mr. Palmer that day to
4 bring to Matt?

5 A The hamburg which was -- the first package just had
6 the saw blades, and the second package had the chisels and
7 punch and the saw blades.

8 Q Okay, but no other items, no bags or --

9 A No what?

10 Q No bags or any other items, just a container of
11 meat with these items inside --

12 A Yes.

13 Q -- and nothing else.

14 A Right.

15 Q Okay.

16 BY [REDACTED]

17 Q I mean, are these fairly close in time, these two
18 events, these saw blades and the meat on the 28th or the
19 15th and then the chisels on the --

20 A Yes.

21 Q So you recall that they're fairly close in time?

22 A Yes.

23 Q What would you estimate?

24 A I don't think it was even within a month's time.

25 Q Okay.

1 A Like I said, everything was, trust me.

2 Q Those are the two times that you recall putting

3 things in meat.

4 A Yes.

5 BY [REDACTED]

6 Q Did you routinely buy ground beef at Malone Price

7 Chopper, or if there is a transaction at Malone Price

8 Chopper with your credit card, would that be the one we're

9 looking for?

10 A It -- I mean we have bought -- when my husband and

11 I are shopping, we have bought ground beef there, but --

12 Q Do you largely shop at Walmart?

13 A Yes.

14 Q And so Price Chopper less often?

15 A Price Chopper would have just been me, myself.

16 Q Okay. I'd like to show you Exhibit 11, and this

17 is --

18 A That's the [REDACTED], right?

19 Q Exactly. This is [REDACTED] but on an allen-head

20 wrench, an allen-head-type wrench; it makes it easier to

21 grab, grasp. Do you recall purchasing something similar

22 to that? It might not have been on a, you know,

23 multi-device like that. It could have been singular.

24 A That's the kind of [REDACTED]. This is the kind I

25 bought, but I took it apart and just took the one.

1 Q So you bought a multi-device like that of many [REDACTED]
2 [REDACTED] on allen-head-type wrenches.

3 A And I just took the one that he wanted.

4 Q And you just took the one that he wanted. Had you
5 earlier provided him with just the head?

6 [REDACTED] Can you mark this?

7 (IG's Exhibit 13 was marked for
8 identification.)

9 [REDACTED] This is what now?

10 A The little one, yes.

11 [REDACTED] That would be actually --

12 [REDACTED] Thirteen.

13 [REDACTED] Number 13, right.

14 (Discussion was held off the record.)

15 Q I would like to show you Exhibit number 13, and
16 this is a set of --

17 A Yes.

18 Q -- screwdriver heads which includes star security
19 bits. Now looking inside, if you see the ones that look
20 like --

21 A Yes.

22 Q Yeah. Is that what you initially provided Sweat
23 through Matt?

24 A Yes.

25 Q And then did Mr. -- did Matt -- did Sweat ask --

1 A Because I had purchased this, and they told me that
2 it was too big.

3 [REDACTED] When you say "this,"
4 you're pointing to something on Exhibit 11. What
5 are you pointing to on Exhibit 11?

6 THE WITNESS: I'm pointing to the [REDACTED]
7 [REDACTED].

8 Q It's like a [REDACTED] wrench, is that --

9 A Yes.

10 Q -- a better description? Okay.

11 A And they told me it was too big, so I actually
12 bought what looks like -- what number is this?

13 [REDACTED] That's Exhibit 13.

14 A -- Exhibit 13, but there were parts -- there were
15 pieces missing out of it in the store, but then I just
16 bought the little, the little [REDACTED] that they wanted.

17 Q Okay, and are you certain that's the order you did
18 it?

19 A Not exactly the order. I'm not sure of the order,
20 but I do remember purchasing a thing like Exhibit 11,
21 taking the one off and throwing the rest of it away.

22 Q Okay, is it possible that you could have purchased
23 the -- just the [REDACTED] first, followed by the [REDACTED]
24 [REDACTED] wrenches second?

25 A Yes, it's possible.

- 1 Q Okay, and where did you make those two purchases?
- 2 A This one was Walmart.
- 3 Q And this one is, the [REDACTED] heads?
- 4 [REDACTED] Exhibit 13.
- 5 A Exhibit 13 was at Walmart. Exhibit 11, I don't
- 6 remember if it was Walmart or if it was Home Depot.
- 7 Q Okay, and do you recall roughly when that might
- 8 have been?
- 9 A No.
- 10 Q Was it still very much the winter? I know it's --
- 11 I know it's Clinton, and it's always the winter, but was
- 12 it still very much wintertime?
- 13 A I don't believe it was still "winter winter" out, I
- 14 don't believe.
- 15 Q Was it close in time to Christmas or New Year's?
- 16 A I don't remember.
- 17 Q Do you recall when Sweat was moved to the cell next
- 18 to Matt in late January 2015?
- 19 A No.
- 20 Q You don't recall that?
- 21 A Because when he got moved back next to Matt, I
- 22 didn't know till Matt come in, because I have nothing to
- 23 do with cell mates.
- 24 Q I understand that, but Matt never told you, hey,
- 25 Sweat's my neighbor now?

1 A Yeah, he did, but when it was I don't remember.

2 Q Okay. Do you remember if you had purchased these

3 items shortly after that?

4 A Like I said, I don't remember exactly. It could

5 have been.

6 Q Okay, if we show you --

7 A I'm sorry, but I --

8 Q No, not a problem. If we show you --

9 [REDACTED] Is it on there?

10 [REDACTED] I think it's on this

11 one.

12 Q Let me go back to Exhibit number 7, and this is

13 something that you researched. This is something that was

14 researched on your home computer, and the date is February

15 16, 2015. Does this look like the bit set that you might

16 have purchased from Walmart?

17 A For who?

18 Q From Walmart?

19 A No.

20 Q Do you remember, we were talking about purchasing

21 the star --

22 A Right.

23 Q -- security bits, and this was something that was

24 researched on your computer at home on this date, 2/16

25 2015. Did you subsequently go to Walmart and purchase

1 something similar to this or something similar to this?

2 A The one I got from Walmart, it was like this one.

3 I mean it was a longer package.

4 Q Okay.

5 A A bigger one, but it was like this.

6 Q So very similar to Exhibit number --

7 A Thir --

8 Q -- 13.

9 A Yes.

10 Q Okay, did it have a screwdriver?

11 A Yes.

12 Q And a rat -- it did, okay, but what you provided to

13 Matt was only --

14 A Yeah.

15 Q -- one or several of these?

16 A Yeah, one.

17 Q One. Okay, Sweat told us that he received several

18 of these; could that be possible?

19 A Well, if he did, he didn't get them all from me.

20 Q Okay, you're absolutely positive you --

21 A I'm positive, I only took one in.

22 Q Okay. In terms of IG Exhibit number 11, the

23 wrenches, how many did you take in?

24 A I only took one of those. I took -- I took this

25 apart, and I took the one off, and I threw the rest of it

1 away.

2 Q And when you brought that into the facility --

3 A They said it was too big.

4 Q And did he reject it on the floor, or did it go

5 back to his cell, or --

6 A Matt took it back to his cell.

7 Q Okay.

8 A But he never brought it back to me.

9 Q Okay, and he said it was too big, in other words,

10 for the type of screw --

11 A Yes.

12 Q -- he was trying to remove. Did he then ask for a

13 smaller one?

14 A Yes, and that's when I got the one like in

15 Exhibit --

16 Q Okay.

17 A -- 13.

18 BY [REDACTED]

19 Q Did Matt tell you in regards to the long one, and

20 that's referring something similar to that you had in

21 Exhibit 11, how he got that back to his cell, the longer

22 star bit?

23 A No.

24 Q You don't you recall -- or do you recall Palmer

25 coming in and transporting that?

1 A I don't recall Palmer coming in, but Palmer walked
2 through all the time because that was part of his job, to
3 walk through the shops.

4 Q Um-hum.

5 A So --

6 Q Because this is clearly as we're -- just for the
7 record, these are all made of metal.

8 A Yes.

9 Q Clearly. Okay.

10 BY [REDACTED]

11 Q I think the last time we spoke with you, you
12 mentioned that Matt sometimes put items in his shoe to go
13 back to the block?

14 A Yes.

15 Q Did he ever mention that a metal item in the base
16 of his shoe would not set off the metal detector?

17 A No. And I know that he would also put things in
18 headphones too.

19 Q And is that how the star security bits went back to
20 his cell?

21 A Yes.

22 Q And do you know --

23 A That's how --

24 THE COURT REPORTER: That's how --
25 what?

1 [REDACTED] She pointed to Exhibit
2 13, something on 13.

3 A That's how, because he would take headphones apart
4 and put it in the -- the inside of the ear piece.

5 Q And did Matt or Sweat earlier ever tell you that
6 headphones do not pass through the metal detector?

7 A No, but I knew that they -- they didn't put them.
8 The only reason I know that he put the piece from Exhibit
9 13 in headphones is I happened to see him doing it.

10 Q You did. And was this out on the tailor shop
11 floor?

12 A Yes.

13 Q And was Mr. Trombley present at the time?

14 A He would have had to have been in the shop, but
15 that doesn't mean he would have seen what Matt was doing
16 because Mr. Matt could have had his back to him because I
17 happened to be walking by him when I saw it.

18 Q And did Matt have to use a screwdriver or anything
19 to open up the headphones to place the [REDACTED] inside of
20 them?

21 A I don't know if he did or not. I would say
22 probably yes.

23 Q Does he have access? Does Matt have access to
24 screwdrivers?

25 A We have a tool box behind the officer, and if you

1 need it for your -- like to change your needle or
2 something, they're allowed to take them.

3 Q Do they maintain them, or is it just to change your
4 needle --

5 A Then you bring it back.

6 Q At this particular instance when Mr. -- when Matt
7 was using the -- if he was using a screwdriver to open the
8 headphones to place the [REDACTED] in it, do you recall if
9 he had signed one out?

10 A I -- I don't do them. Mr. Trombley does them.

11 Q Okay.

12 A He could have. I don't know, because Matt could
13 have come up and told him that he needed to change his
14 needle or something.

15 Q Throughout the industry building and the many
16 tailor shops, is it pretty -- do most inmates use
17 headphones?

18 A Yes.

19 Q And are they the modern headphones, the large?

20 A Some are the large, some are just the regular,
21 little, just cover your ears.

22 Q Right, but some of them could be like --

23 A Yes.

24 Q -- these, the large, the large?

25 THE COURT REPORTER: Like what?

1 A The big ones.

2 [REDACTED] They're just large
3 headphones.

4 Q And so is it your understanding that whenever
5 tailor shop inmates return to the block, those headphones
6 will not go through a magnetometer?

7 A Yes.

8 Q Okay.

9 [REDACTED] Are you --

10 BY [REDACTED]

11 Q I just want to ask, talk a little bit about Sweat
12 sewing. I know we've heard what a great sewer he was, and
13 I think you've said things like that. What kind of sewer
14 was he?

15 A What do you mean?

16 Q His ability.

17 A He was very, very good. He could sew anything.

18 Q What do you mean, he could sew anything, like --

19 A Any product that we ever needed, he could sew it.
20 I mean he could -- if we had something and we couldn't get
21 it to just go the way it should have, he was able to
22 somehow, I guess, kind of alter, if that's what you want
23 to say, but the pattern would be to get it to work the way
24 it should.

25 Q And he was efficient? He was a quick worker?

1 A Yes.

2 Q I know when he got moved out you were upset
3 because --

4 A Yeah. We lost a really good worker right there. I
5 mean because he could set -- if they had it where they had
6 female pants in the shop, along with the male pants,
7 they -- he could do, within two to three days, at the
8 most, 30 dozen female pants by himself from beginning to
9 end, where -- and the other guys would stay on the males.
10 He was -- and then I mean he could also help you in other
11 areas too. If I had two, three different guys go out to
12 go to call-outs for something, he could -- he could cover
13 all the different spots. He was very fast. He was very
14 good.

15 Q And on occasion he would do favors for people, like
16 do a little sewing job for an officer or for --

17 A Yes.

18 Q So what were those kind of things?

19 A It might be hemming officers' pants that they got
20 when they got their -- what do you want to call it? -- I
21 guess, allowance of the uniforms that they would get. He
22 would do that. He would do -- say, an inmate came in and
23 his pants were ripped or whatever, he would fix those. He
24 would do patches on shirts. He would fix -- I mean
25 there's different officers would come in and need --

- 1 Q They might even bring in like a personal. Even
2 like a personal item they might bring in.
- 3 A Yes.
- 4 Q And they would do a little favor for them?
- 5 A Yes.
- 6 Q And that was in tailor 1 when you were there, that
7 was happening --
- 8 A Tailor 1, they do it in all the different shops.
- 9 Q Yeah.
- 10 A Officers would go in different shops and --
- 11 Q Like might bring in a personal item, like I got a
12 rip, you know, from home. You know, could you do me a
13 little favor and sew this on for me, a button or --
- 14 A Yeah.
- 15 Q -- do that. Okay, do you remember he made a, like
16 a pouch, or a money pouch for Vicki Safford?
- 17 A A what?
- 18 Q Like a change pouch, a change purse or something
19 out of fabric?
- 20 A I don't remember that, but he could have. They
21 were always doing something.
- 22 Q What do mean, they were always doing something?
23 What does that mean?
- 24 A All the inmates, they'll take pieces of rags, and
25 they'll sew them so that they can make washcloths out of

1 them, or they'll -- when they first come in, they'll make
2 like a little pouch for their tools.

3 Q Um-hum.

4 A That way you would have some that would have it.
5 They would take like a belt loop string and attach it to
6 the pouch they made and hang it around their neck; that
7 way their tool were with them at all times, and they
8 weren't losing them.

9 Q Yeah, but little favors for staff, COs, or civilian
10 staff, you know, technically things that he really
11 shouldn't be doing.

12 A Yeah.

13 Q Or they shouldn't be asking, and he was doing that
14 kind of thing too?

15 A Yes.

16 Q And you saw that and others, other civilian staff
17 were aware of those things?

18 A Yes.

19 Q Did that happen just when Scholl was in charge, or
20 did it happen when Pam White was --

21 A No, it was --

22 Q Common?

23 A Yes.

24 Q For a long time?

25 A Yes.

- 1 Q Do you remember that he made like a bag for an
2 officer for his snow skis in?
- 3 A I don't remember the skis, but I do remember they
4 would make like laundry bags. He would do like laundry
5 bags. He would do -- I'm trying to think if he would do
6 bags for the winers, but I know he would do like the
7 laundry backs, or bags that they would -- I think they put
8 all the keys in or handcuffs or something for out in the
9 arsenal. They would --
- 10 Q Yeah, so this isn't part of the normal shop orders.
- 11 A No.
- 12 Q Right? The official orders that --
- 13 A Right.
- 14 Q -- you're working on? And he sewed on a patch for
15 your son's coat --
- 16 A Yes.
- 17 Q -- at one point?
- 18 A Yes.
- 19 Q I know he mentioned that to us.
- 20 A I was trying to do it, and I couldn't get it to lay
21 right, and he did it.
- 22 Q So he's doing favors kind of as a routine matter
23 for --
- 24 A Yes.
- 25 Q -- people bringing in personal items for him --

- 1 A Yes.
- 2 Q -- to do? And does anyone ever say anything about
- 3 that? I mean does anyone ever say --
- 4 A No.
- 5 Q -- stop him, you know, and --
- 6 A No, because pretty much --
- 7 Q I mean you agree that's, you know --
- 8 A Right.
- 9 [REDACTED] Let him finish the
- 10 sentence.
- 11 A Oh, I'm sorry.
- 12 [REDACTED] You agree that's --
- 13 Q That's not permissible.
- 14 A Right, but I mean a lot of people would bring
- 15 different things in, and it could be another civilian. It
- 16 could --
- 17 Q Um-hum.
- 18 A -- be an officer.
- 19 Q And more to him because he was so good.
- 20 A Yes. I mean he was bored one day at break time,
- 21 and he made this little -- it couldn't have been over two
- 22 inches, maybe two, three inches long -- a little pair of
- 23 pants out of scrap material.
- 24 Q Like for a doll or something?
- 25 A Yes.

- 1 Q Did he give that to somebody?
- 2 A It was sitting on his desk, and when he left I took
3 it and put it up in the drawer.
- 4 Q Did he make it for you, do you think?
- 5 A No.
- 6 Q No.
- 7 A No, he was just bored one day, and he made it.
- 8 Q So what happened to it after? You took it home at
9 some point?
- 10 A I threw it away.
- 11 Q So you don't recall him making a -- I guess,
12 Vicki -- Vicki was having a yard sale, and she needed like
13 a change, a pouch to put the money in for her yard sale.
- 14 A No, I don't.
- 15 Q And she asked him to do that.
- 16 A But like I said --
- 17 Q But that sounds like something he would have done?
- 18 A Yeah, he could have.
- 19 Q Would she have asked him to do favors like that?
- 20 A Who?
- 21 Q Vicki, Vicki Safford?
- 22 A Vicki could have, I don't know. I wasn't sure who
23 you were talking about, at first.
- 24 Q Oh, yeah, Vicki Safford. You know who she is.
- 25 A Yes, yes, I know who Vicki is. Yes, I know who

- 1 Vicki is. She could have. I --
- 2 Q You didn't -- you didn't actually see that.
- 3 A I didn't actually --
- 4 Q You didn't.
- 5 A -- see that, no.
- 6 Q Okay, but that sounds like the kind of thing he was
- 7 doing, sewing favors for staff.
- 8 A Yes.
- 9 Q Okay, and that was never -- I mean your supervisor
- 10 or Scott Scholl or anyone, they didn't -- I mean they had
- 11 to know things like that were going on.
- 12 A Um-hum.
- 13 Q And what? They just --
- 14 THE COURT REPORTER: What's your
- 15 answer?
- 16 A They -- they never said anything. I mean they
- 17 would come in and ask for them to do something, so I mean
- 18 --
- 19 Q A personal favor --
- 20 A Yeah.
- 21 Q -- like that, okay. When did you first learn that
- 22 Matt was a painter?
- 23 A When he was in the shop with me, because he always
- 24 bragged about his paintings.
- 25 Q So sometime after -- you're in tailor 1 as of,

1 what? February -- or I mean October 2013?

2 A Yes, something like that.

3 Q When you go in there, he's there. He's already

4 there.

5 A Yes.

6 Q So from that point on, at some point you learn that

7 he's a painter.

8 A Yes.

9 Q And he's talking about it openly?

10 A Yeah.

11 Q With everybody?

12 A Yeah. Yeah, I mean you would hear even the

13 officers say that they had seen his paintings from his

14 cell, and he was a very good painter.

15 Q And Trombley knew he was a painter and --

16 A Yes.

17 Q Okay, so how did it come about and if you recall

18 when that you -- that Matt did some paintings for you?

19 How did that -- how did that come about?

20 A I -- he had talked about how he had done paintings

21 for different officers. Palmer was the only one I really

22 knew was one of them. The other ones, I really don't know

23 who they are, but he bragged about doing paintings for

24 different officers. And, yes, I was wrong in doing it,

25 but I asked him about doing one of my son.

1 Q Okay, all right, and I have a copy of that that
2 we --

3 A Yes.

4 [REDACTED] This is -- what
5 exhibit are we up to now?

6 (IG's Exhibit 14 was marked for
7 identification.)

8 Q This is actually two images. These are -- these
9 are --

10 A Yes.

11 Q -- two paintings that Matt did for you? One is,
12 this is your son here --

13 A This is my son.

14 Q -- in a National Guard uniform, and then this is,
15 these are your two pet dogs, I gather, correct? So how
16 did this come about?

17 [REDACTED] If you don't mind, are
18 these both under that we're considering --

19 [REDACTED] Yeah, I think we can
20 call those both 14.

21 Q If you could just describe how that came about,
22 that you asked him to do those?

23 A Yeah, because everyone had told me of how good of a
24 painter he was, and I hope those get destroyed.

25 Q When was that? I mean you were in the shop October

1 of 2013. He's there already, so sometime in 2014, you
2 think?

3 A It might have been '14. It might have been the
4 beginning of '15.

5 Q And what was the circumstance? Was it, had you
6 done a favor for him that he was doing something in return
7 for you, or --

8 A He wanted --

9 Q -- what do you recall?

10 A He wanted the -- what do you call them? -- the
11 gloves, the bag gloves.

12 [REDACTED] Sparring gloves?

13 THE WITNESS: Yeah.

14 Q And then you -- and so one of these paintings was
15 his returning a favor for you for that.

16 A Yes.

17 Q Do you remember which one that was?

18 A That would have been the dogs.

19 Q Okay, and then the one of -- the other painting he
20 did of your son, what was that? What was the circumstance
21 of that?

22 A I'm trying to remember. One was the gloves, and I
23 don't remember what the other one was.

24 Q Maybe for contacting his daughter, would it have
25 been?

- 1 A Maybe.
- 2 Q And if you could try to remember when that was.
- 3 You know, was it mid summer of 2014, spring, fall? Was
- 4 it, Sweat still in the shop at the time?
- 5 A No.
- 6 Q You're sure of that. Why are you so sure of that?
- 7 A Because after Sweat left that's when Matt started
- 8 to get where he was -- I don't know if you want to say
- 9 more friendly or how you want to say that. I don't
- 10 believe Sweat was in the shop when --
- 11 Q Any of these paintings were done?
- 12 A I don't -- I don't believe he was. I don't
- 13 remember.
- 14 Q I mean these take a while to do, right? These
- 15 are --
- 16 A Yeah.
- 17 Q These are fairly elaborate productions and then
- 18 taken several months to do.
- 19 A He might have been in the shop when he started this
- 20 one.
- 21 Q Okay.
- 22 A But I don't remember him being in the shop when the
- 23 dog one was done.
- 24 BY [REDACTED]
- 25 Q Did you give him a photograph of your son? What

- 1 was he using to create that painting?
- 2 A He was using a photograph of my son, yes.
- 3 Q And did you give that to Matt?
- 4 A I give it --
- 5 Q Directly?
- 6 A -- to Matt, yes.
- 7 BY [REDACTED]
- 8 Q And do you recall Officer Trombley also talking to
- 9 Matt about a painting?
- 10 A I know they talked about paintings, but whether it
- 11 was just what he saw and --
- 12 Q No, about a painting for him, for Officer --
- 13 A No.
- 14 Q -- Trombley.
- 15 A I don't recall that.
- 16 BY [REDACTED]
- 17 Q A painting of his brother, of Trombley's brother,
- 18 do you remember that?
- 19 A They could have. I --
- 20 Q And the same of the picture of the dog, was that --
- 21 I would assume you brought in a picture for that as well?
- 22 A Yes.
- 23 Q And gave that to Matt in the shop?
- 24 A Yes.
- 25 Q Okay.

1 [REDACTED] Is it possible to take
2 a short break? Are you going to -- I mean unless
3 you're almost done.

4 [REDACTED] No, we have some
5 stuff --

6 [REDACTED] Yeah, I need to use the
7 facilities.

8 (A brief recess was taken.)

9 BY [REDACTED]

10 Q Picking up where we left off, Joyce, we were
11 talking about the portraits that Matt made for you. One,
12 is it Toby? Is that his name?

13 A Yes.

14 Q And then one of your pet dogs, and we were talking
15 about for the dogs, it's your recollection that you
16 brought in sparring gloves for the dog portrait, correct?

17 A I don't remember which one it was.

18 Q It could have been the other way, right?

19 A Yes.

20 Q And there was also we talked about --

21 A The glasses.

22 Q Lighted glasses, okay, that you had ordered
23 online --

24 A Yes.

25 Q -- at some point.

1 THE COURT REPORTER: You have to speak
2 up.

3 A Yes.

4 Q You had ordered lighted glasses online, and at some
5 point we can agree that the sparring gloves and the
6 lighted glasses were in payment or in return for the photo
7 of the -- or the portrait of the dogs and the portrait of
8 your son, correct?

9 A Yes.

10 Q Okay, and when at a later date, and I don't know if
11 you know the exact date, but at a later date you also
12 asked Matt to do a family portrait.

13 A Yes.

14 Q So just like I asked you before, did you also bring
15 a picture of your entire family for Matt, for Mr. Matt?

16 A I had -- well, it was a picture of my three kids.

17 Q Okay, so it wasn't you and Lyle?

18 A No.

19 Q Okay, so --

20 A It was because I asked him to do it. I wanted him
21 to do it for my husband for our anniversary.

22 Q And I know [REDACTED], is that your -- what's the order
23 of the children?

24 A [REDACTED] is the youngest.

25 Q Okay.

1 A He's 22. He's my son from my first marriage. Lyle
2 adopted him.

3 Q Okay.

4 A The two older ones are [REDACTED] --

5 Q [REDACTED]

6 [REDACTED]

7 Q Okay, and how old is she?

8 A She's 27. And then [REDACTED] is 28, and they're Lyle's
9 kids from his first marriage.

10 Q Okay, so just for clarity on the record, you've
11 asked Mr. Matt to create a portrait for Lyle's -- for both
12 of your anniversary, but you and Lyle, as a gift to Lyle
13 of [REDACTED]

14 A Yes.

15 Q Okay, and you brought a photograph in of [REDACTED]
16 [REDACTED] together in one picture?

17 A Actually, it was, I believe it was just [REDACTED] and
18 [REDACTED], because he knew what [REDACTED] looked like from the Air
19 Force one.

20 Q Okay, so he was going to try to blend those
21 pictures together.

22 A Yes.

23 Q Do you remember how you handed him that picture,
24 where you were for the family pictures?

25 A I just handed it to him at his machine.

1 Q Okay, and do you remember where he put it, or how
2 he got that one out? For the picture of [REDACTED], do you
3 remember how he left the facility with them, or left the
4 tailor shop?

5 A I think he just put them in his pocket.

6 Q Okay, did you actually see him do that or --

7 A No.

8 Q You don't know, okay. Also, as we went through
9 your computer we also found a picture of a New York State
10 map.

11 A Yes.

12 Q Now, we had talked previously, and I'll mark this
13 as IG's 15.

14 (IG Exhibit 15 was marked for
15 identification.)

16 (Phone rings)

17 [REDACTED] And there it is.

18 [REDACTED] Excuse me.

19 [REDACTED] Sure.

20 [REDACTED] Hello? Hi, Kathy.

21 [REDACTED] We'll take
22 an adjournment again please.

23 (A brief recess was taken.)

24 BY [REDACTED]

25 Q In looking through your computer, Mrs. Mitchell, we

1 also found a printout of New York State. Do you recall
2 looking that up and printing that out?

3 A Yes.

4 Q Is that the map of New York that you spoke of in
5 one of the interviews that you brought into them?

6 A Yes.

7 Q Okay, and this is marked as IG's Exhibit 15, and
8 when you brought this map in, did you print it out in
9 color, or was it black and white? Do you remember?

10 A I don't remember if it was color or black and
11 white.

12 Q And how did you -- how did you get it into the
13 facility?

14 A Just carried it in my bag.

15 Q And then how did you get it to Matt?

16 A I just put it in his box by his -- by his desk or
17 machine.

18 Q Did there come a time when he talked about that
19 with you, or he said that works, or I like that map, or
20 anything like that?

21 A He didn't say anything. The only thing they really
22 had ever said to me was they wanted something -- well, I
23 should say Matt said he wanted something -- they wanted
24 something with major highways on it.

25 Q Okay, and the map, just for the record, does have

1 some of the major highways and arteries through the State
2 of New York.

3 Okay, now I'm going to show you a series of
4 pictures. I had shown you one picture which I had marked
5 as IG's Exhibit 6 earlier. It's actually --
6 1-2-3-4-5-6 -- seven pages of photographs from inside
7 tailor shop 1, and we had talked previously about where
8 you sat and where CO Trombley sat.

9 A Yes.

10 Q So what I'm going to do is show you page -- okay,
11 yeah, so the second page of Exhibit, IG Exhibit --

12 [REDACTED] Bless you.

13 Q -- 6 is a picture of, showing on the bottom left
14 corner an open drawer at the end of the desk. And we had
15 previously talked in our last -- there it goes again. We
16 had previously talked in our last meeting that Matt would
17 come up and leave notes in your drawer.

18 A Yes.

19 Q Is the picture of the drawer in IG Exhibit 6, in
20 the second page of that, where a drawer is on the bottom
21 left-hand side of that portrait or picture, is that the
22 drawer you were talking about?

23 A Yes, it is.

24 Q So where would Matt stand when he would go into the
25 drawer and leave you a note?

1 A He would come over by the steps, going up under the
2 podium, and he would stand at the bottom of the steps and
3 just reach over and put the note in the drawer.

4 Q And would he open the drawer or would --

5 A No, he would open the drawer.

6 Q Okay, and when he accessed that drawer, that was to
7 drop-off notes from Sweat to you, correct?

8 A Yes, yes.

9 Q Yes.

10 THE COURT REPORTER: You've got to
11 speak up. I've got to hear you.

12 [REDACTED] Sorry about that.

13 Q And then you would also -- where would you put the
14 notes that you wrote back to Sweat?

15 A I would put them in a little -- Mr. Matt had an
16 empty --

17 THE COURT REPORTER: I can't hear you,
18 I'm sorry.

19 A Mr. Matt would -- Mr. Matt had an empty Skoal can
20 that he kept in his drawer in his machine, and I would
21 just put them in there and put it back in his drawer.

22 Q Would you fold them, or were they in a sheet of
23 paper that you would just put --

24 A They were folded up.

25 Q Did you fold them very tiny?

1 A Yes.

2 Q Okay, and the purpose of folding them so tiny is
3 they would be harder to detect by security?

4 A Yes.

5 Q And when you did that, would you always wait for
6 the first note to then respond to that note while you were
7 in the tailor shop?

8 A Yes.

9 Q Did you ever prepare notes for Sweat at home and
10 then bring them in?

11 A No.

12 Q So it's your testimony that you would receive a
13 note sometime in the morning from Matt who would put it in
14 the drawer, and then you, during the course of the day,
15 would respond in a separate letter.

16 A Yes.

17 Q Okay, and is it also fair to say that CO Trombley
18 would be at the same platform that this drawer is located?

19 A Yes.

20 Q Okay, and did there ever come a time that CO
21 Trombley said, hey, what is he doing up close to you like
22 that?

23 A No, because when Matt -- when Mr. Matt would put
24 the note in the drawer, CO Trombley was handing out the
25 tools.

- 1 Q So it's your testimony that Mr. Matt would wait
2 until Trombley was preoccupied?
- 3 A Yes.
- 4 Q Okay, and these transactions, these notes back and
5 forth, happened how many times?
- 6 A Several times.
- 7 Q Hundreds?
- 8 A I wouldn't say hundreds, but there were a lot of
9 them.
- 10 Q More than 50?
- 11 A I don't think there would be more than 50.
- 12 Q What would be a good estimate from you?
- 13 A We'll go with 50, but I know there shouldn't be
14 more than that.
- 15 Q Okay. When we talked the last time, you had
16 mentioned that Matt would approach you as well and ask you
17 to reach through his pocket and to grab his penis.
- 18 A Yes.
- 19 Q Is that the same location that that happened
20 that --
- 21 A That's the same location.
- 22 Q -- we described earlier?
- 23 A Yes.
- 24 Q So he would standing there, and you would turn
25 towards him off of the -- you stayed on the platform,

- 1 correct?
- 2 A Yes.
- 3 Q And where would he stand?
- 4 A He was stand -- he would lean up close to where the
5 steps are and get close enough so that no one could see
6 but he could get what he wanted. (Indicating.)
- 7 Q Okay. Now, we also discussed the last time we
8 spoke that he would -- he would approach you sometimes at
9 your locker while you were putting stuff away, is that
10 correct?
- 11 A Yes.
- 12 Q And I'm not sure. I'm showing you page 6 of IG's
13 6, and there's a blue locker in the background. Is that
14 the locker you're speaking about?
- 15 A No. That is the tool locker.
- 16 Q Okay. These are newer pictures, though, so --
- 17 A Yeah.
- 18 Q Was there a locker somewhere on that wall?
- 19 A There was.
- 20 Q At the time?
- 21 A It would go -- it went the blue locker, the frig,
22 and then my locker.
- 23 Q Okay.
- 24 A My locker would be on the opposite side.
- 25 Q So how far away would you estimate from the edge of

- 1 Trombley's side of the desk would your locker be?
- 2 A It would be past -- it would be over -- I'm not
3 sure what to say the distance is.
- 4 Q It would be past the tool locker, though.
- 5 A Yes.
- 6 Q Is that fair to say?
- 7 A Past the tool locker.
- 8 Q Okay, so is the tool locker contained in this
9 photograph -- it's a tall, it's a six-foot tall tool
10 locker -- is that what you're discussing as the tool
11 locker?
- 12 A Yeah, the tool locker, actually, it's up on the
13 wall, so it would be at least that high up.
- 14 Q Okay, and your locker was similar to that?
- 15 A No. Mine was a full-length locker.
- 16 Q It was full length.
- 17 A You know, like one you would have in school.
- 18 Q And there are a series of painted lines on the
19 floor, red and yellow. What is the significance of those?
- 20 A The red one -- the red lines are for when the
21 officers are handing out the tools. No inmate can come in
22 front of that red line.
- 23 Q So he has to give the CO space while he's --
- 24 A Yes.
- 25 Q -- retrieving tools. Okay, and what do the yellow

1 lines signify?

2 A They're just other lines that they have painted on

3 the floors.

4 Q Okay.

5 A I'm not quite sure what they --

6 Q But is it fair to say your locker would have been

7 located past the red lines --

8 A Yes.

9 Q -- that are shown on this photograph?

10 A Yes.

11 Q And was it at that locker that we discussed before,

12 is that where he tried to fondle your breasts?

13 A Yes.

14 Q And that's where he tried to touch between your

15 legs?

16 A Yes.

17 Q Okay, and if you know, where was CO Trombley when

18 that occurred?

19 A He could be doing tools. He could be, you know,

20 just doing his check around the room, just where --

21 Q And was there ever --

22 [REDACTED] If you don't know where

23 he was --

24 Q If you don't know --

25 [REDACTED] -- say it. Just say

1 you don't know.

2 A I don't know. He could have been anywhere.

3 [REDACTED] Don't guess.

4 Q And CO Trombley, did he ever approach you and say,

5 hey, you shouldn't let him that close to you, or you

6 shouldn't let him anywhere near your locker?

7 A No, he never said anything.

8 Q Did you allow Matt to store some of his personal

9 items in your locker?

10 A I put his radio in there so he didn't have to carry

11 it back and forth every night.

12 Q So would he ask sometimes for you to retrieve that

13 for him?

14 A Yes.

15 Q Could other inmates have seen you retrieving Matt's

16 radio from your locker?

17 A Yes.

18 Q Did you allow any other inmates to store their

19 stuff in your locker besides Matt?

20 A No.

21 Q Did you ever allow Sweat to put stuff in the locker

22 when he was in tailor shop 1?

23 A No.

24 Q Okay. In relation to that too, after the escape I

25 saw a photograph of a crock pot, like a serving -- like a

1 heating serving plate, like a bigger hot plate. Were
2 those items that you kept inside your locker as well?

3 A The crock pot was in that picture where you have
4 the -- we kept our crock pot and our electric frying pan
5 down underneath here.

6 Q Okay, and because we had talked the last time --
7 and, again, I'm going to mark -- it's 1-2-3-4-5-6-7. I
8 think I may have been referring earlier to page 6, but
9 it's page 7 that we've been referring to of Exhibit 6.
10 And we had talked the last time that sometimes you said
11 you would bring in hamburger, you would bring in -- other
12 people would bring in rolls, some people would bring in
13 chips for group meals.

14 A Yes.

15 Q How, during the workday, would there be time to do
16 that, to actually cook them during that short 20-minute
17 lunch break, or half-hour lunch break?

18 A Because sometimes we would be cooking while
19 they're -- while the inmates were working.

20 Q And was the administration okay with that; that's
21 the civilian administration at -- do they allow you to do
22 that?

23 A Yeah.

24 Q To cook while you're working?

25 A They never -- they never said anything about us

1 cooking.

2 Q Because we also know that there's a separate break
3 room --

4 A Yes.

5 Q -- I think a floor below. Why wouldn't you guys
6 use that room?

7 A Because, I mean when the inmates are in the shop,
8 you have to be in the shop with them.

9 Q Okay, so we had also heard from other workers that
10 there were like, I think it was maybe one Wednesday every
11 month where they wouldn't bring inmates in the shop and
12 you had training or --

13 A Yes.

14 Q Would you use it on that day as well sometimes?

15 A Yes. Sometimes we would cook breakfasts up in the
16 different shops. We would all get together and have
17 breakfast or we would cook dinner.

18 Q And that's part of my concern, because that was a
19 little bit of a surprise to me, because if you have 40
20 plus inmates in the tailor shop and you guys are making
21 hamburgers for the civilians, couldn't that have the
22 potential of upsetting the inmates that wouldn't be able
23 to eat that?

24 A Yeah, it could.

25 Q Is that part of the reason that you would give them

1 food sometimes?

2 A Sometimes.

3 Q And you gave them brownies and --

4 A Yes.

5 Q Did you -- what other baked goods did you give

6 them?

7 A Brownies, fudge, cookies, I mean just different

8 sweets and stuff like that. And if I had sandwiches that

9 I wasn't going to eat, I would -- instead of throwing it

10 away, I would give it to somebody.

11 Q But that was certainly against the shop rules,

12 right?

13 A Yes.

14 Q So it wasn't against the shop rules as far as you

15 knew to cook for yourselves or other civilian --

16 A Right.

17 Q -- workers or other CO, but it was against the

18 rules at any time to give them any kind of food, correct?

19 A Yes.

20 Q Okay. I know that you have testified previously on

21 multiple occasions about bringing the meat with the blades

22 in.

23 A Yes.

24 Q Did you ever bring in meat without blades in it, or

25 chicken, or any kind of meat to give to Matt to bring back

1 to his cell just to eat?

2 A They had some frozen chicken strips, that was it.

3 Q Like you brought it in in a plastic bag?

4 A Yes.

5 Q So one of those, you unseal it?

6 A Yes.

7 Q And you could take some?

8 A Yes.

9 Q So would you give it to him cooked, or would you

10 just take it out frozen and --

11 A No.

12 Q -- send it back?

13 A Just take it out frozen, and he would take it.

14 Q And he would put it -- what would he do with it?

15 How would he get that back?

16 A He would just put it in a bag and take it back.

17 Q And certainly that wasn't allowed.

18 A No.

19 Q Okay, and where was CO Trombley during these

20 exchanges with the chicken strips?

21 A I have no idea where he -- I just know Matt always

22 waited until CO Trombley couldn't see anything.

23 Q Okay, and looking on the second page of IG's --

24 THE WITNESS: Bless you.

25 [REDACTED] Thank you.

1 Q -- IG's 6, sorry, that contains a photograph
2 looking from the platform out into the tailor shop. Can
3 you point out on the second page of IG 6 where -- I know
4 the shop is a little bit different. This is more of a
5 recent photograph -- but about where in this photograph
6 where Matt's desk would have been, work station?

7 [REDACTED] The way you have this,
8 things get shuffled. You're never going to know
9 what the second page is because it's not been
10 marked.

11 [REDACTED] Sure. We can mark this.

12 [REDACTED] You probably should
13 just say first, second, third, whatever.

14 [REDACTED] I can do that too.

15 [REDACTED] Because things have a
16 way of shuffling.

17 [REDACTED] Absolutely, and we can
18 even mark that one.

19 Q We're referring now, there is a -- in the bottom
20 center of that, there's a gray fan being shown on the
21 desk. Can you tell about how far his work station was in
22 that photograph from you?

23 A I believe he would have -- I don't know how to --

24 Q So would it be on the right third, right third of
25 that photograph about halfway down, is that fair to say?

1 A Yes.

2 Q That location? Okay, so his desk was located
3 there.

4 [REDACTED] Why don't you point.

5 A I believe he would have been right about there.
6 (Indicating).

7 [REDACTED] Just mark it
8 with an X.

9 [REDACTED] Do you want to do it
10 with an X?

11 [REDACTED] Yes, mark it
12 with an X.

13 A I believe he would have been --

14 Q Right in that area.

15 A Right around that area.

16 Q Perfect.

17 A You know, like the second, third row back.

18 Q Sure.

19 THE COURT REPORTER: The second what?

20 THE WITNESS: The second row back, the
21 second, third row.

22 Q Okay. Now, again, with IG Exhibit 6, the fourth
23 page in, shows the time clock and the punch-out cards in
24 the very front of the platform.

25 A Yes.

- 1 Q Do you agree with that? Does that --
- 2 A Yes.
- 3 Q -- fairly and accurately depict the time card area?
- 4 A Yes.
- 5 Q There was, as we went through, we talked about our
- 6 previous conversation with you, and you said there were
- 7 times when Palmer would come in and remove Matt from the
- 8 tailor shop. Sometimes he would take him all day.
- 9 Sometimes he would bring him back, correct?
- 10 A Yes.
- 11 Q We went through Matt's time cards, and it doesn't
- 12 reflect a lot of those movements. Is it possible -- or
- 13 why wouldn't that have been reflected in his punch-out
- 14 card?
- 15 A Because he wouldn't have punched out. He would
- 16 have had somebody else punch him out.
- 17 Q Is that a problem in the shops?
- 18 A He would have guys that would do it in the shops,
- 19 but he did it a lot.
- 20 Q And if you know, was it part of the responsibility
- 21 of the COs to log in any movement of inmates in and out of
- 22 the shops?
- 23 A It was the officer's responsibility to log. They
- 24 did -- they had the logbook, not the civilian.
- 25 Q They maintain that.

- 1 A Yes.
- 2 Q They, meaning the COs.
- 3 A Yes.
- 4 Q And if it's not reflected in the logbook, is it
- 5 fair to say that there would be no record of -- especially
- 6 if someone else is punching his card, there would be no
- 7 record of Mr. Matt being removed from the tailor shop?
- 8 A Right.
- 9 Q Okay, and from talking to Mr. Matt, did he ever
- 10 tell you that -- anything about when Mr. Palmer would --
- 11 when CO Palmer would bring him back to his cell, did he
- 12 tell you what the purpose was for some of those movements?
- 13 A Some of it had to do with his paintings. What it
- 14 was exactly, I'm not sure.
- 15 Q Would he -- if you know, would Mr. Matt use those
- 16 opportunities to bring back pepper or other items that you
- 17 had given him?
- 18 A Mostly likely, he would have.
- 19 [REDACTED] Don't say most likely.
- 20 If you know, say it. If you're not sure or don't
- 21 know, tell him.
- 22 Q Did you see Mr. Matt leave sometimes with -- were
- 23 there times that Mr. Matt left with CO Palmer?
- 24 A I never saw him leave with Palmer with any of the
- 25 stuff, but anything is possible.

1 Q Okay, that's fair. All right, showing you where --
2 I'm showing you -- you'll see a fan on the right side on
3 this photograph of the -- it's the fifth page of the IG 6
4 exhibit, and you see a white -- or, I'm sorry, a bright
5 red coffee, empty coffee container.

6 A Yes.

7 Q And does this photo show where the inmates would
8 line up to leave at the end of the day?

9 A They would stand back by the back door.

10 Q Just for the record, I would let the record reflect
11 that she was pointing to the center of the left-hand side
12 of that picture in the third -- and that's the back door
13 of the --

14 A Yes.

15 Q -- tailor shop? Where would the CO be, in this
16 case usually Trombley? Where would he be in relation to
17 the inmates? Would he be in front of them, or would he be
18 at the back of the line?

19 A Actually, until they were on -- until it was
20 radioed for them to go back, he would be standing at his
21 desk.

22 Q At the desk.

23 A Yes.

24 Q On the platform with you.

25 A On the platform with me.

1 Q Okay.

2 [REDACTED] Why don't you move your

3 hands.

4 Q I'll move on past that unless you have any other

5 questions regarding --

6 [REDACTED] I --

7 [REDACTED] Yes.

8 [REDACTED] -- do have

9 one. Go ahead.

10 [REDACTED] No.

11 BY [REDACTED]

12 Q My one question is you indicated that you never saw

13 Matt leave with any of the contraband. You would put

14 contraband in the box under --

15 A Yes.

16 Q -- when the inmates left, correct? When the

17 inmates left, did you ever go around and check the box and

18 make sure there was nothing left in the box?

19 A No, I didn't.

20 Q So, potentially, there could have been nothing?

21 A Yes.

22 [REDACTED] During the break, there

23 was something that was said about Ward Lumber. I

24 don't know if --

25 [REDACTED] Sure.

1 [REDACTED] -- if that changes any
2 issues.

3 [REDACTED] There was a -- we looked
4 to see if there was a Lowe's in -- near the, was
5 it --

6 [REDACTED] In Malone.

7 [REDACTED] In Malone.

8 THE WITNESS: I was thinking it was
9 Lowe's. It's Ward Lumber, I apologize.

10 [REDACTED] And whatever that was,
11 clarify that, that's all.

12 BY [REDACTED]

13 Q And one other thing I wanted to clarify, we had
14 previously shown you the exhibit with the front of the
15 road atlas that you had provided to Matt and received?

16 A Yes.

17 Q And what did Matt say in regards to why that --
18 what, if anything, did Matt say regarding that atlas and
19 why he didn't want it, if anything?

20 A All he said was it wasn't what they were looking
21 for.

22 Q Okay.

23 A Or it wasn't what they wanted or -- he never
24 specified exactly.

25 Q Okay, he wasn't clear.

1 A Right.

2 Q Okay, and there was no -- then you took the atlas
3 back and brought it home with you?

4 A Yes.

5 Q Okay. Now, there has been a lot of testimony. We
6 talked to a lot of inmates. We talked to everybody in the
7 tailor shop, and we learned about the rat note in late, it
8 would have been in July of 2000 -- 2014.

9 So what did you know about accusations from an
10 inmate relating to a note that went up to the
11 superintendent regarding you and Sweat, if anything, back
12 in 2014? Do you recall talk of a note from an inmate
13 accusing you of being with Sweat?

14 A Yes.

15 Q And did you ever get a copy of that in your hand?

16 A Yes, I did.

17 Q And how did it come to your attention? How did you
18 physically get it?

19 A I had to write a to-from. That's when I had to
20 write a to-from to state that it was false.

21 Q Um-hum.

22 A And I asked for a copy of it.

23 Q And do you recall who gave that to you?

24 A I don't know if it was the sergeant that I had to
25 speak to about it, I don't remember.

1 Q So let's break it down. How did you first hear
2 there were allegations like that?

3 A I don't know if that's the one that Palmer come in
4 and told me about or if the inmates told me. I don't
5 remember.

6 Q Could it have been possible, would -- did you get a
7 chance when it was finally presented to you at some point
8 to read the entire note?

9 A Yes.

10 Q Okay.

11 A I did.

12 Q And when you read the note, sometime after that you
13 provided a to-from memo --

14 A Yes.

15 Q -- objecting to it or saying that --

16 A Yes.

17 Q -- this is incorrect or --

18 A Yes.

19 Q -- untrue. Who did you provide that to?

20 A I believe that went to the sergeant, and then
21 they -- it either went to the sergeant or it went to the
22 superintendent.

23 Q Do you remember, was the sergeant a lady?

24 A It might have been.

25 Q Well, I don't want you to say might have been. Do

1 you recall who --

2 A I don't recall which sergeant it was.

3 Q Okay, and you discussed that with Trombley as well?

4 A Yes.

5 Q And what did Trombley say about it?

6 [REDACTED] Thank you.

7 A I don't remember, but I mean you have to remember
8 that was a while ago. I don't --

9 Q Sure.

10 A -- remember.

11 Q But it was -- what were the allegations generally,
12 to your recollection? What did they claim that was
13 happening?

14 A I don't remember.

15 Q Do you -- but any allegations about you with any
16 inmate would also directly affect Trombley, is that fair
17 to say?

18 A Yes.

19 Q So do you remember, did he ever -- did you discuss
20 the note with him directly up on the platform at any
21 point?

22 A I don't remember if I did. I'm assuming I must
23 have because I would have been talking to my officer about
24 it.

25 Q And because it involves your security, correct?

- 1 A Yes.
- 2 Q Okay, so it's your testimony that it was untrue.
- 3 A Yes.
- 4 Q And it involves security, certainly.
- 5 A Yes.
- 6 Q So you discussed it with Trombley.
- 7 A Yes.
- 8 Q And at some point you did a to-from memo to the
9 administration or to a sergeant.
- 10 A Yes.
- 11 Q And did anybody come in and ask you questions about
12 that?
- 13 A No, not that I remember.
- 14 Q Do you recall if anybody asked CO Trombley about
15 what happened or the allegations?
- 16 A I don't know if they did or not.
- 17 Q Do you remember any sergeant coming in to ask
18 questions?
- 19 A No, I don't.
- 20 Q Did you follow up and say, hey, what's the deal
21 with this rat note, or why haven't I heard anything about
22 it?
- 23 A No.
- 24 Q Is that what they call them in there? Rat notes?
- 25 A Usually, that's what they are. They're called rat

1 notes.

2 Q Just for the record, what is a rat note? What is a
3 rat note in the prison? What does that mean?

4 A Usually, if there's a rat note, you've made
5 somebody upset with you, and whether it's true or not
6 they'll write something.

7 Q Okay. Had you ever had any other rat notes written
8 about you in your contact with inmates?

9 A I don't believe so. I had one that he got upset.
10 When he left the shop, he said I had something against
11 Muslims, and I don't have anything against --

12 Q Okay.

13 A -- anybody.

14 Q But anything that was talking about any kind of
15 relations or going into another room with an inmate.

16 A Just the very last one.

17 Q The one in January.

18 A Yes.

19 Q But, so the one in January, and then this rat note
20 sometime earlier in --

21 A Yes.

22 Q -- 2014. Okay, do you recall -- did you ever come
23 in contact -- do you know who Captain Lucia is?

24 A I barely remember Captain Lucia.

25 Q Do you remember that Captain Lucia is the person

1 that physically removed Sweat from the shops?

2 A Okay, now I know who you're talking about.

3 Q Do you remember that individual talking to you
4 about the rat note, the earlier one, not the January one,
5 this one in July of --

6 A No, I don't.

7 Q -- 2014? Do you remember Lieutenant Dubrey ever --
8 do you know Lieutenant Dubrey?

9 A Probably, by -- well, a lot of the lieutenants and
10 higher-ups I know more by face than I do --

11 Q Sure. But as you sit here today, you don't
12 remember distinctly being asked questions about the rat
13 note?

14 A No.

15 Q Do you recall discussing the rat note with CO
16 Trombley and then Vicki Safford entering and Trombley or
17 yourself saying, yeah, there's this ridiculous accusation
18 against me?

19 [REDACTED] When you say "rat
20 note," are we talking about one or are there two?

21 [REDACTED] Just one. We're talking
22 about July of 2014.

23 Q Do you remember Vicki Safford coming in and saying
24 what are you guys talking about?

25 A No, but I mean Vicki was always in the shops, so --

1 because that was part of her job, to come through the
2 shops.

3 Q Do you recall Mr. Scholl talking to both Trombley
4 and yourself initially in the tailor shop about the rat
5 note and then maybe he pulled you from the shop, do you
6 recall that, to discuss it?

7 A No.

8 Q Nothing at all?

9 A Not this one, no, I don't.

10 Q Okay. Do you recall discussing it in any further
11 detail with CO Trombley about, hey, you know, why are
12 people saying this?

13 A I mean I was upset because there wasn't anything
14 truthful and, you know, I stated that, but --

15 Q Do you remember -- you started to say that CO
16 Palmer had come in to warn you or say there were rumors at
17 one point. Was that in regards to this rat note?

18 A I don't know if it was this one or the other one.

19 Q And you also said -- you started to say that there
20 were inmates talking that had warned you and maybe there
21 were rumors being spread.

22 A That was the last one.

23 Q The January one?

24 A Yes.

25 Q Okay, so do you recall -- we had inmates, multiple

1 inmates that testified in regards to the note, that you
2 approached them in the shop and said, Who wrote this note?
3 or something to that effect.

4 A I did make a comment because I wanted to confront
5 whoever said it.

6 Q And did anybody admit it was --

7 A No.

8 Q No. Did you have an idea of who wrote the note?

9 A Not really.

10 Q Did you -- did anybody from the administration,
11 meaning the COs or sergeants or anybody like that, ever
12 come back to you and say we know who wrote the note?

13 A They never actually told me who wrote it, but I
14 know they were looking to see if they could match the
15 handwriting.

16 Q Okay, do you remember who said that to you?

17 A No.

18 Q Was it a CO or a sergeant?

19 A I believe it was a CO.

20 Q Okay, and there were some allegations from inmates
21 that Matt or Sweat, back when he was in the shop, could
22 get inmates tossed from tailor shop 1. Were you aware of
23 any of that, that they could talk to the administration or
24 anybody to get them removed?

25 A I wasn't aware they could, but --

1 Q I mean certainly during the course of time in
2 tailor shop 1, you issued tickets before, correct?

3 A Yeah, but I wasn't one that wrote a lot of tickets.
4 If I wrote a ticket, it was because they did something
5 wrong.

6 Q Okay, but when you wrote a ticket like that, did
7 those people get removed?

8 A Yes.

9 Q And did they come back to the shop, or were they
10 removed for good?

11 A Some did. Some didn't.

12 Q Do you recall the names of any of the people that
13 were removed --

14 A No.

15 Q -- completely and didn't come back?

16 A Well, like the one that was -- that said I had
17 something against Muslims, but I don't remember his name.
18 But there were ones that they would take out, and the next
19 thing you knew they were back in. I had one that I didn't
20 actually write up. A dep actually had the officer write
21 him up for when he come in he said he was smoking, and he
22 had the officer write him up. It wasn't too much
23 longer -- I think he might have been out of the shop maybe
24 two weeks, and he was back into the shop, and that was a
25 dep of security wanting him written up.

1 Q Okay, do you remember the name?
2 A Of the inmate?
3 Q Of the inmate or the dep of security?
4 A It was Dep Brown.
5 Q It was definitely Dep Brown?
6 A Yes.
7 Q And that inmate went out and didn't come back.
8 A No, he -- within two weeks he was back.
9 Q He was back in, okay.
10 A So a lot of the other inmates were -- they were a
11 little upset because they said, well, that means he must
12 have ratted on somebody if he's back in the shop.
13 Q So there was talk amongst other inmates.
14 A Yes.
15 Q That you could overhear.
16 A Yes.
17 Q Okay, could that lead to a security risk?
18 A Yeah, because I mean if -- if they think that, you
19 know, an inmate is ratting the rest of them out, that's
20 going to cause friction and --
21 Q Do you recall, in regards to this note, CO Trombley
22 ever saying, hey, I want to know -- in the tailor shop
23 while there are inmates in there -- saying I want to know
24 what inmate said this?
25 [REDACTED] You better identify

1 what you're talking about because --

2 [REDACTED] Sure.

3 [REDACTED] -- I think there are
4 two notes you said, right? One in July and one in
5 January?

6 [REDACTED] Right, two distinct notes.

7 [REDACTED] So we don't know which
8 one --

9 [REDACTED] Sure.

10 [REDACTED] -- you're talking
11 about.

12 [REDACTED] I'm always referring to
13 the July, just for the record.

14 Q So do you recall CO Trombley, you know, defending
15 you or protecting you or saying, hey, I need to know who
16 wrote this?

17 A Yeah, he defended me because he was upset when he
18 read it.

19 Q So he physically had it too at one point.

20 A Yes.

21 Q We have testimony that you're up on the platform
22 with it, reading from it together, right?

23 A Yes.

24 Q Okay, and it's sometime after that that -- you just
25 don't remember who gave you a copy of it.

1 A No, I don't. I don't remember if it was the
2 sergeant or --

3 Q But you had to make a special request for it?

4 A No. When he come in and asked me to do the --
5 well, when he come in and asked me to do a to-from on it,
6 I asked if I could have a copy of it.

7 Q But as you sit here today, you don't remember who
8 that sergeant is?

9 A No. We have a lot of different sergeants that come
10 through.

11 Q True, but this one was talking to you about a
12 specific allegation that you were too close with --

13 A I, like I said --

14 Q -- an inmate.

15 A A lot of the sergeants, I don't even know them as I
16 see their face.

17 Q Okay. Who are the sergeants who you saw the most
18 there?

19 A Oh God, I can't even think of the sergeants' names
20 that were there. Mullady was one.

21 THE COURT REPORTER: Mullaney?

22 THE WITNESS: Yes.

23 Q Is it Mullady or Mullaney?

24 A Mullady.

25 Q Mullady.

1 [REDACTED] M-U-L-L-A-D-Y.

2 A Dumas was one. I don't know, I can't remember all
3 of the names.

4 Q Well, at this point I'm going to mark an exhibit as
5 IG 16.

6 (IG Exhibit 16 was marked for
7 identification.)

8 Q And I'll show you IG 16. Why don't you take a
9 second look at that.

10 A This is the one where Trombley wasn't even on that
11 day; it was a relief officer.

12 Q Okay, the day of what, that you were discussing --

13 A The day that --

14 Q -- Exhibit 16?

15 A No, the day that this person said this fist fight
16 took --

17 Q Oh, okay, so you're -- just for the record, she's
18 reading -- why don't you read the whole thing first, and
19 then we can break it down.

20 A Okay, where it says --

21 Q Just for the record, have you finished reading it?

22 A Yes.

23 Q Do you recognize that as the rat note we're talking
24 about from July of 2014?

25 A Yes.

1 Q And that's the one that you read a copy of and also
2 you read it at the same time with CO Trombley? Is that
3 the same note?

4 A Trombley saw it after he come in.

5 Q Okay.

6 A Officer Trombley was not on the day that this
7 so-called incident happened, and it really didn't happen.

8 Q Okay, let me read it. What I'll do is I'll read it
9 into the record just so that they'll know. So the top
10 left-hand side says:

11 To Superintendent Racette; date, July 25, '14.
12 There's a date stamp on top that says received July 31,
13 2014, superintendent's office. On the right-hand side
14 there's ink writing that says, "original to Captain
15 Lucia," L-U-C-I-A. It's in block capital letters, for the
16 most part, handwriting.

17 It starts: Dear sir. And I'll read it as close to
18 as it's written here. Please take notice, that on the
19 about day, there was a fist fight here on tailor number 1
20 which Mitchell witnessed as well as CO -- it's spelled
21 "Tumbler." Are they referring to Trombley?

22 A They're referring to Trombley, but Trombley was not
23 there that day.

24 Q Okay, so after it says CO Tumbler, between inmate
25 Simore -- it's S-I-M-O-R-E in here, anyway -- and Steve.

1 She asked C-O-T, which I would assume means CO Tumbler or
2 CO --

3 A Yeah.

4 Q -- Trombley not to write them up. It's funny
5 because I've seen where -- I've seen her write a lot of
6 tickets to all Latino's, whom alway -- A-L-W-A-Y -- do
7 they work and don't be playing game with the hand, or
8 throwing pants' button to each other, and then there's
9 brackets that say, meaning Mitchell, CO Tumbler and many
10 of the white guys, and many of the black guy. But she or
11 him never write them a ticket. It's real raises, which I
12 assume is racist, but it's spelled R-A-I-S-E-S, and also
13 it's funny that she goes to the machine room, next door
14 with the same guy once or twice a week for three to five
15 minute and come out with nothing. I have noticed this
16 since start -- start it working --

17 [REDACTED] Since I start.

18 Q Since I start, and it says "I-T," working here, the
19 number 4, the past, the number 5 months as well as, all
20 the write-ups she do are all against Latino's and eight or
21 nine set-ups UPS tickets. If you look five months back as
22 being, B-E-I-N-G, for, taking or stopping production, or
23 stealing pant, P-A-N-T. I work here, and am ready to
24 cuick -- it says "cuick," C-U-I-C-K -- because I do not
25 wish to be set up like the other Latino's. It says cc:

1 Superintendent Racette, Commissioner and Inspector General
2 of -- I believe it's referring to DOCCS.

3 So when you were earlier talking about the fight
4 that is alleged to have taken part that is described in
5 the first third of this letter, it's your testimony that
6 CO Trombley wasn't even there for that fight?

7 A And it actually wasn't a fight. They had an
8 argument. They were arguing, and I told them to knock it
9 off.

10 Q Okay.

11 A Just, you know, two guys arguing with each other.

12 Q But no one got written up, and there was no fist
13 thrown? Is that what --

14 A No.

15 Q -- you're saying? Okay.

16 A Yes.

17 Q So there's an oral argument, and you don't write
18 any tickets.

19 A Oh, I write tickets, but --

20 Q In this instance is what he's --

21 A No.

22 Q You recall that incident, correct?

23 A Yes.

24 Q Okay, and he is alleging that you, Mitchell, are
25 going in the back room. I assume he means tailor 9,

1 correct?

2 A He's referring to tailor 9, and we assume he was
3 talking about inmate Sweat, because inmate Sweat is the
4 one that goes and gets the parts off the machines.

5 Q And did you make inmate Sweat known -- or did you
6 let inmate Sweat know about this allegation? Did you talk
7 to him about it at any time?

8 A The whole shop knew about it.

9 Q Okay, but did inmate Sweat definitively know about
10 this letter, specifically? Did you say there's a letter
11 and it references you?

12 A Yeah, because they all talked about it.

13 Q And this was -- this letter came up before inmate
14 Sweat was removed from tailor shop 1 in September,
15 correct?

16 A Yes.

17 Q Did you actually show inmate Sweat a copy of the
18 letter?

19 A He saw the one that was on my desk, yes.

20 Q Okay. Did any other inmates see that letter?

21 A Matt did.

22 Q And did -- was it discussed in front of other
23 inmates, the letter?

24 A Yeah, because we were trying to figure out who had
25 done it.

- 1 Q Did anybody suggest names of inmates that could
2 have done it?
- 3 A No.
- 4 Q Because my concern is -- go ahead.
- 5 A They were trying to figure out the handwriting.
- 6 Q Okay, and immediately after this letter came in to
7 your possession, did anybody get removed around that time
8 from your tailor shop, just before or just after that you
9 recall?
- 10 A I don't remember. There could have been somebody
11 that -- I mean for it to come out like that, somebody must
12 have been removed.
- 13 Q But as you sit here, you don't recall specifically.
- 14 A No.
- 15 Q Okay, but I mean this is a big allegation.
- 16 A Yes.
- 17 Q Is that fair to say?
- 18 A Yes.
- 19 Q It puts you at risk?
- 20 A Yes.
- 21 Q It could put CO Trombley at risk because --
- 22 A Yes.
- 23 Q -- he's not watching the shop?
- 24 A Yes.
- 25 Q And it was discussed amongst inmates, correct?

- 1 A Yes.
- 2 Q It was discussed, at least some sergeant came in
3 and discussed it.
- 4 A Yes. I just don't remember which sergeant. All I
5 know is he came in at lunchtime and showed it to me
6 because the inmates were gone when he came in.
- 7 Q And that first showing, was that the same sergeant
8 that gave you a copy of it or --
- 9 A I believe so.
- 10 Q So is that -- just so I'm clear, a sergeant tells
11 you there's an allegation. And then you say, Okay, it's
12 untrue, but -- and I don't want to put words in your
13 mouth -- but I want to see a copy of it. Is that --
- 14 A Yeah.
- 15 Q Is that what happened?
- 16 A I wanted -- I wanted to see what it was.
- 17 Q So you did a to-from to the administration.
- 18 A Yes.
- 19 Q And the same sergeant that came to you in the
20 beginning comes back to you and provides you a photocopy
21 of it?
- 22 A Yes.
- 23 Q And it's that copy that you talked to Trombley
24 about.
- 25 A Yes.

- 1 Q And that's the one that you showed Sweat and Matt.
- 2 A Yes.
- 3 Q And that's the one you're discussing in front of
- 4 other inmates.
- 5 A Yes.
- 6 Q And it's also the one that you talked to -- you
- 7 asked, to the inmates in the shop, who wrote this letter?
- 8 A Yeah, I wanted to -- I wanted to confront them
- 9 about it.
- 10 Q Okay.
- 11 A I wanted to know what their -- what their problem
- 12 was.
- 13 Q But you don't recall a final resolution as
- 14 unfounded.
- 15 A No.
- 16 Q Because in the January one, someone told you it was
- 17 ultimately unfounded, correct?
- 18 A Right.
- 19 Q But no-one came back to you here that you recall?
- 20 A Not that I recall.
- 21 Q And you didn't reach out again to say whatever
- 22 happened with that note?
- 23 A No, because I just, like this nightmare, I would
- 24 like it all go away.
- 25 Q Sure, but this -- from our understanding of your

1 history in the shops, this would have been -- and I don't
2 want to put words in your mouth. Is this the first
3 accusation about you and Sweat in the shops?

4 A Yes.

5 Q And then in September, is it fair to say, Sweat is
6 removed from the shops?

7 A Yeah, he was removed because he said -- I don't
8 know, he made some comment to Scott Scholl about one of
9 the secretaries down in the office about her ordering
10 stuff.

11 Q And then is it fair to say in January of 2015 you
12 started hearing rumors from either Palmer and other
13 inmates --

14 A Yes.

15 Q -- that again talking about Sweat in tailor 9.

16 A Yes.

17 Q Correct?

18 A Yes.

19 Q During that process, where you asked for an
20 investigation into who's doing that --

21 A Yes.

22 Q -- did you reference this rat note to them?

23 A No, I didn't.

24 Q You didn't mention there had been a previous
25 complaint to --

1 A No.

2 Q -- anybody?

3 A No. They have -- they have the records. I

4 never -- I never thought about it after.

5 Q But you remember [REDACTED] from OSI talking to

6 you on the --

7 A Yes.

8 Q -- January incident.

9 A On the January, yes.

10 Q And he was -- he -- I assume he asked you -- or

11 what did he ask you regarding you and Sweat?

12 A He just asked questions about that, that incident.

13 Q About the January incident.

14 A Yes.

15 Q Correct. So there's no point where you said, ah,

16 it's the same kind of rumors I heard in this rat note in

17 July of 2014.

18 A No.

19 Q Because I don't know where it goes, when you do a

20 to-from physically, saying I want a copy of this --

21 A A to-from usually goes to either the sergeant or it

22 goes to the superintendent.

23 Q But where do you physically bring it? Do you

24 put -- is there like a suggestion box? Is there a to-from

25 box? Is there something in administration, or do you

1 physically hand it to someone in one of the offices? How
2 do you get the to-from to the administration? How do you
3 physically do it?

4 A I always just took them to them.

5 Q Like, physically walk to the administration
6 building?

7 A Yes.

8 Q In this case instance, do you recall, when you were
9 requesting a copy of it, what you did?

10 A I believe I just give it back to the sergeant.

11 Q The same sergeant that told you --

12 A Yes.

13 Q -- about the initial. Okay. Again, just to be
14 crystal clear, you cannot remember who that sergeant is.

15 A No.

16 Q All right.

17 A Like I said, we have so many different sergeants
18 that come through.

19 Q If you saw him again, would you recognize him?

20 A Possibly.

21 BY [REDACTED]

22 Q Who is the "to" to in a to-from? Who do you
23 address it to?

24 A Well, like the one that I did over at the January,
25 I did that one to the superintendent, but if it's a

1 sergeant that asks you, you'll do the to-from to that
2 sergeant.

3 Q Okay, so in this instance, it would have been to --

4 A It would have been --

5 Q -- the sergeant.

6 A Yes.

7 BY [REDACTED]

8 Q All right, because part of my question is, and it
9 goes back to our initial questions about the February 16
10 purchase of the six blades that we have the receipts for.
11 So, and I don't want to put words in your mouth, but if
12 someone -- if I was working in the tailor shop and someone
13 accused me of going into another tailor shop, or doing
14 anything untoward or inappropriate with an inmate, I would
15 remember that as a big event in my work life, correct?

16 A Yes.

17 Q You, certainly, after you reviewed this, you
18 remembered seeing IG 16. You remember reading that;
19 that's the note that you were talking about from July of
20 2014, correct?

21 A Yes.

22 Q But you can't, as you sit here, recall who the
23 sergeant was that you discussed this --

24 [REDACTED] She's been asked that
25 like six times.

1 [REDACTED] So, but I -- these are big
2 events.
3 Q That's why we're trying to --
4 A I know, but --
5 Q Follow --
6 A Like I said --
7 Q -- the path of the letter.
8 A We have so many different sergeants that come
9 through.
10 Q It's hard to remember, all right.
11 A It's hard to remember who was working at that time.
12 Q But, more importantly, the first time you bring --
13 that you purchase blades on February 16 where we went
14 through the entire debit card transaction, and then you
15 did a cash transaction a minute later, less than a minute
16 later for three packets at a dollar ninety-seven each,
17 those six blades in cash at 2:00 on February 16, 2015, you
18 distinctly remember doing that, right?
19 A No, I don't distinctly, but you have the
20 transactions, so obviously I did them.
21 Q But was it your husband that bought those?
22 A No, my husband wouldn't have bought them.
23 Q Who else could have done it then, is my question.
24 It's the first time you're buying blades. You're paying
25 cash.

1 A I know. I'm just saying, if you have the
2 transactions, I obviously did it, but I don't remember. I
3 don't remember.

4 Q Are you saying because of the shock of everything
5 that's happened?

6 A Yes.

7 Q But you recall Matt asking you for blades.

8 A I recall him asking for blades, but I don't know
9 when it was that he asked.

10 Q But you recall making purchases of blades for him.

11 A Yes.

12 Q And we have now shown you copies of the receipts
13 from that --

14 A I know.

15 Q -- transaction.

16 A I'm just saying, I don't remember the dates.

17 Q But my point is, does that help -- the reason we
18 came back is we thought that would easily help you refresh
19 your recollection about an event when you are talking to
20 an inmate, Matt, about buying him blades. You made a
21 purchase of three packets of blades at Walmart. It's all
22 the transaction is listed. I'm asking you, as you sit
23 here today, it's your testimony that you do not recall
24 that transaction?

25 A I don't remember the dates.

1 Q So it's the date --
2 A Is what I'm saying.
3 Q -- that's bothering you.
4 A It's the dates.
5 Q So it happened.
6 A It happened. I just don't know what the dates are.
7 Q But you did it.
8 A Yes.
9 Q This isn't Lyle. This is --
10 A No.
11 Q -- you.
12 A This is me.
13 Q There's no doubt that it was you and not Lyle.
14 A It was me.
15 Q And you're the one that bought them with cash on
16 February 16 --
17 A Yes.
18 Q -- 2015 in the Walmart.
19 A It would have been me.
20 Q It was you.
21 A I'm saying --
22 Q Correct?
23 A -- it would have been me.
24 Q Is that what you're saying? Are you -- that's
25 what's not -- are you saying it was you that purchased

1 those blades?

2 A Yes, but I didn't know what the dates are.

3 Q Okay, it's the dates. I didn't understand that
4 before, I apologize. It wasn't the fact that you --

5 A This is a nightmare --

6 Q -- didn't do it.

7 A -- to me.

8 Q I understand that, but that's where -- do you
9 understand how I was unclear? It's clear in your head
10 now, correct?

11 A Yes.

12 BY [REDACTED]

13 Q And you brought those six blades into the facility,
14 didn't you.

15 A I didn't bring all six of them.

16 Q How many did you bring in? In February, how many
17 did you bring in?

18 BY [REDACTED]

19 Q At the same time, is that what you're saying? You
20 brought them in eventually, but are you saying you didn't
21 bring them in at one time together?

22 A I didn't bring them in together, no.

23 Q Okay.

24 BY [REDACTED]

25 Q How many did you bring in in February?

- 1 A It would have been two.
- 2 BY [REDACTED]
- 3 Q Are there blades that you never did give to them
- 4 that you purchased?
- 5 A Yes.
- 6 Q So where did those go?
- 7 A They're in my husband's tool box.
- 8 Q Okay, so it's your testimony on the first -- on
- 9 February 16, at least when you made that first transaction
- 10 that you brought the blades in, you just don't remember if
- 11 you brought them all in.
- 12 A I don't remember if I brought them all in, but I
- 13 don't believe I did.
- 14 Q Is it possible you brought all of those
- 15 first-purchased blades in from the February --
- 16 A No.
- 17 Q -- 16? So you think maybe it was just the one --
- 18 A Yes.
- 19 Q -- set containing two blades?
- 20 A Yes.
- 21 Q Okay, and then we already discussed the later
- 22 purchases in May, correct?
- 23 A Yes.
- 24 Q Okay.
- 25 A I told you, I am sorry for any part of this.

- 1 Q And going back to the tailor shop, there was a
2 couple things I --
3 [REDACTED] Just a minute. I don't
4 know if she's hearing you.
5 [REDACTED] Okay.
6 [REDACTED] So just give it a
7 minute please.
8 A I beat myself up every day over this. If I could
9 take it all back, I would.
10 Q I appreciate that. That's not why we're here
11 today. I bet you want to take it back. We're trying to
12 figure out the security --
13 A I know.
14 Q -- of the facility.
15 A I know.
16 Q We've talked about this several times.
17 A I know.
18 Q This is absolutely imperative.
19 A I know.
20 Q We know you bought the blades. You just can't
21 remember what number you brought in.
22 A No.
23 Q Correct?
24 A Right.
25 Q And it's three distinct times that you brought them

- 1 in; once in February and then two times in May, correct?
- 2 A Yes.
- 3 Q You're just not sure of the exact dates.
- 4 A I'm not sure of the exact dates.
- 5 Q And we've shown you several receipts here, and that
- 6 didn't specifically refresh your recollection, but you
- 7 know that you did those purchases.
- 8 A Yes.
- 9 Q Correct? All right, and we also have testimony,
- 10 and we talked a little bit last time we met about bringing
- 11 alcohol in for Matt.
- 12 A Yes.
- 13 Q And we have -- what kind of alcohol did you bring
- 14 in?
- 15 A Rum.
- 16 Q Was it Bacardi rum, do you recall?
- 17 A Yes.
- 18 Q Okay. Did you bring in any other kind of alcohol
- 19 besides rum?
- 20 A No.
- 21 Q Other inmates have said that there were other kinds
- 22 of alcohol in a bottle that he could squeeze into his
- 23 mouth, anything like that?
- 24 A No, it was just rum.
- 25 Q Was it more than one occasion with rum?

- 1 A Yes.
- 2 Q Did you also bring him in like yeast and other
3 things to make alcohol? We talked about that last time.
- 4 A I don't remember bringing in yeast.
- 5 Q Did you bring in some things to help, help them --
- 6 A No.
- 7 Q -- make alcohol? You don't recall that?
- 8 A No.
- 9 Q Okay. I know we talked -- there's some register
10 receipts concerning like a little bag of Rubber Bands. Do
11 you recall bringing in Rubber Bands for them too?
- 12 A Not for them.
- 13 Q For your -- for your desk?
- 14 A For me.
- 15 Q Okay, could they have grabbed those?
- 16 A Yes, they could have.
- 17 Q Do you ever recall specifically just handing one
18 Rubber Band to them?
- 19 A No.
- 20 Q Okay, but Matt certainly had access to your desk.
- 21 A Yes. I mean I have given other inmates a Rubber
22 Band to wrap their -- their cords up and put around their
23 belts when they carry stuff back.
- 24 Q Okay, and then separate -- we discussed the last
25 time, we were talking about separate work gloves. You

1 couldn't remember if they were red or black, not the
2 sparring gloves, just like a -- like a mechanic's glove.

3 A I think they were black.

4 Q Black. And were those the ones you purchased at
5 Walmart too?

6 A Yes.

7 Q Okay, and who were those specifically for?

8 A They were for Sweat.

9 Q Okay.

10 A And he supposedly was going to using them to work
11 out in the yard with the weights.

12 Q Okay, and where did you -- where did you give
13 them -- did you give them to Matt?

14 A Yes.

15 Q And describe how you brought those to Matt.

16 A I just brought them in, and I put them in his box.

17 Q Okay, and did you see him physically leave with
18 them at any point?

19 A No.

20 Q Did you ever see CO Palmer take them?

21 A No.

22 Q Okay. Did Matt ever say, Sweat says thank you for
23 the --

24 A No.

25 Q -- for the gloves? Did he ever -- in any of those

1 letters that Sweat sent you, did he ever say thank you for
2 bringing A, B and C in?

3 A No.

4 Q Nothing like that. Were the notes just
5 specifically like love notes?

6 A Yes.

7 Q Did they talk about sexual things as well?

8 A Yes.

9 Q Okay, and you wrote back to him in a sexual tone.

10 A Yes.

11 Q Okay. What was the name of the restaurant that you
12 went to on the night of the escape, the first night with
13 Lyle?

14 A It's -- I don't know the name of it. It's the
15 Chinese restaurant right next to -- is it King Wok? It's
16 in where Aldi's, and it used to be the Family Dollar
17 before you get to Walmart and Ward's Lumber.

18 Q In Malone?

19 A In Malone.

20 Q In Malone, okay. And that's where you had the last
21 supper with Lyle?

22 A Yes.

23 Q And you finished dinner and you go home?

24 A Yup.

25 Q Correct? And you're laying in your Barca-lounger,

- 1 and you're feeling chest pains, right?
- 2 A Yes.
- 3 Q Because we heard that in one of the previous
- 4 interviews. Then Lyle insists you go to the hospital?
- 5 A He had said to me, Do you want me to take you? And
- 6 I said, No, I'll be okay. But then, after a while, it
- 7 still wasn't letting up, so I had him take me.
- 8 Q Okay, who drove?
- 9 A Lyle.
- 10 Q What car did you take?
- 11 A I think we took the Jeep, I don't remember.
- 12 Q What are the two cars you have? What are they?
- 13 A We had a Jeep and a truck.
- 14 Q Okay, but you don't recall what vehicle you drove
- 15 there?
- 16 A No.
- 17 Q Do you recall about what time you left to go to the
- 18 hospital?
- 19 A I know it was after 9. It might have been around
- 20 10, I don't know.
- 21 Q And --
- 22 A I told you, I beat myself up every day with this.
- 23 Q And did Lyle have his cell phone that night?
- 24 A No. I had the cell phone.
- 25 Q So at some point he -- you're in the -- I had

1 listened to a previous trooper talking to you and the
2 investigator. Is the next thing you did is -- and I don't
3 want to put words in your mouth. At some point you go
4 there, and you turn off your phone, correct?

5 A Yeah.

6 Q And then there comes a point where you send Lyle
7 back to go get -- let the dogs out to use the bathroom, or
8 what happens?

9 A He was waiting to see if they were going -- because
10 they said they were going to admit me, but then it was, I
11 don't know, 2:00 or after.

12 Q 2 a.m. the next day.

13 A Yes.

14 Q So on the day of the escape, though.

15 A Yes.

16 Q The 6th, right? The 6th?

17 A Yes.

18 Q Yes? Okay, so it went from the dinnertime -- just
19 so I'm clear on the record, it went from the dinnertime on
20 that Friday of work, and now you've been in the hospital.
21 You're in the emergency room, right?

22 A Yes.

23 Q And they're treating you.

24 A Yes.

25 Q And then go ahead. There's a decision.

1 A And then they said they were going to admit me, and
2 we sat there, and sat there, and sat there, and they
3 hadn't moved me. And because our dog hadn't been out yet,
4 and because he hadn't been back home after he brought me,
5 and so he went home to let the dog out, and he was coming
6 back in the morning.

7 Q Okay.

8 A And when they finally took me up to the room, I
9 called him from his cell phone, and I told him what room I
10 was in.

11 Q Um-hum.

12 A And when he came out, he -- well, I take that back.
13 Was it 4:00 in the morning? I'm telling him you need to
14 bring my prescriptions because they need to know what I'm
15 taking for medicines.

16 Q Okay, and when you would call him, would you then
17 turn your cell phone off?

18 A Yes.

19 Q Okay, so you call him once or twice at the -- at
20 his -- at your house?

21 A I called him once.

22 Q Okay, and that's sometime after 2:00.

23 A Yes.

24 Q And then do you call him again at a later time?

25 A I don't remember if I called him a second time when

1 it was the medication or if it was just the once. I
2 almost think it was a second time, because they had come
3 in, and they needed to know what I was on for medication.

4 Q Okay, and then did you turn your phone off again?

5 A Yes.

6 Q And then there was talk that -- then there comes a
7 time when Lyle shows back up at the hospital?

8 A Yes.

9 Q And then there comes a time that you turn your
10 phone back on.

11 A Yes.

12 Q Then you get flooded with messages.

13 A Yes.

14 Q Correct? Okay. Oh, how -- when Matt gave you the
15 pills we talked about last time --

16 A Yes.

17 Q -- how were they supposed to be administered to
18 Lyle?

19 A I was supposed to crush them up and put them in
20 something that he ate.

21 Q Okay.

22 A I had no intentions of ever doing that.

23 [REDACTED] I think my list of things
24 is that what -- do you have any additional
25 follow-up?

1 [REDACTED] I do.

2 BY [REDACTED]

3 Q Regarding the first set of blades that we've now
4 established were purchased at Walmart --

5 A Yes.

6 Q -- and there were six blades purchased in some
7 amount and brought into the facility, is that correct?

8 A Yes.

9 Q You mentioned earlier that you thought that maybe
10 Palmer may have transported the blades in cardboard.

11 A Yes.

12 Q Why do you think that?

13 A Well, if they would have been left alone, there's
14 no way that Matt could have got them back with them just
15 plain, because he would have got caught when he went
16 through the detector.

17 Q I mean there's -- I could envision a dozen
18 scenarios. Why did he settle on the cardboard?

19 A Because he had done cardboard before to take back,
20 so I guess I'm assuming. Maybe I shouldn't assume.

21 Q Matt had done -- Matt had packaged up cardboard and
22 asked Palmer to take it back and forth?

23 A Yes.

24 Q And do you know for a fact if the blades ended up
25 in the cardboard going back?

1 A I don't know for a fact, but they could have.

2 Q That's it? Just they could have?

3 A Knowing Matt, yeah, they probably were, because he
4 knows that Palmer would not have to go through the
5 detector, so --

6 [REDACTED] Joyce, he's looking for
7 facts, not what might have been. He's looking to
8 know what you know for facts, not your speculation.

9 THE WITNESS: I don't know.

10 Q Matt has told you exactly how to work the
11 subsequent blades; stick them in hamburger meat.

12 A Yes.

13 Q Give them to Palmer; they're going to pass them up?

14 A Right.

15 Q If it buzzes, they're going to think it's --

16 A But he didn't say anything about the --

17 Q Not one thing. Never, never let up about how he
18 did it.

19 A No.

20 Q When you brought them in that day, if you can
21 remember, when you brought the blades in that day, you
22 described in your earlier testimony to the New York State
23 Police, you went like this. They were full-size blades.

24 A Yeah, they were this.

25 Q Did they go in the box under the sewing station in

- 1 the drawer?
- 2 A Yes. No, they went in the box.
- 3 Q They went in the cardboard box.
- 4 A Yes.
- 5 Q And if you could really think back now, how many --
- 6 had you already removed them from the packaging?
- 7 A I only remember two of them.
- 8 Q On that day, you only remember two.
- 9 A Yes.
- 10 Q And you placed them in the box.
- 11 A Yes.
- 12 Q And would you have a second chance to review that
- 13 box at the end of the workday?
- 14 A I would, but I never did.
- 15 Q You did not.
- 16 A No.
- 17 Q Did Matt acknowledge they were in the box?
- 18 A Yeah, he knew they were there.
- 19 Q He did.
- 20 A Yes.
- 21 Q Do you recall if Palmer worked that day?
- 22 A I don't recall.
- 23 Q Do you recall if Matt had a sciatic episode that
- 24 day?
- 25 A I don't. I mean there was a time that he was out

1 because of his back too.

2 Q Um-hum, but there's no way that you can say with
3 certainty that the cardboard was used to transport the
4 blades in.

5 A No.

6 Q You're sure of that.

7 A I'm sure of that.

8 Q Regarding, regarding the paintings, Matt produces a
9 number of paintings for a number of people. Do you know
10 if he produced one for Mary Lamar?

11 A Who?

12 Q Mary Lamar?

13 A No, I didn't know.

14 Q You did not, and you said --

15 A The only one I ever knew that, because he had said,
16 was -- I mean he had bragged about, you know, doing
17 paintings for a lot of different officers, but I mean I --
18 and he had said Palmer, but he never mentioned any other
19 names, so --

20 Q Okay, and you knew that Palmer was the -- Palmer
21 was the vehicle by which he would get the paintings out of
22 the block and onto wherever they were going.

23 A Yes.

24 Q The particular paintings that you purchased or
25 bartered for, the one of your son and the one of your

1 dogs, when Palmer removed them from the facility how were
2 they packaged?

3 A Just, they're in between two pieces of the
4 cardboard. Like I told you, Matt would make the cardboard
5 the size that whatever the picture was, and he would put
6 the picture between the card -- the two pieces of
7 cardboard and then wrap it up, and it would be like a
8 brown paper.

9 Q With like a string or a tape?

10 A No, tape.

11 Q And was it just the piece of canvas between two
12 pieces of cardboard, or did it have a wooden frame?

13 A No, it didn't have a wooden frame.

14 Q No wooden frame.

15 A It was the -- it was just the canvas.

16 Q And was the canvas affixed to the cardboard or was
17 it just loose?

18 A No, just loose.

19 Q Just loose. When --

20 [REDACTED] Can I just --

21 [REDACTED] Yes.

22 BY [REDACTED]

23 Q Do you mean -- when you said it doesn't have a
24 frame around it, what do you mean, the painting?

25 A The frames that those paintings are in, I bought.

1 It's just -- it's just the canvas itself.

2 Q The canvas, is it just loose canvas like a loose
3 piece of paper?

4 A Yeah.

5 Q Or is it stretched over like a wood frame
6 underneath --

7 A No.

8 Q -- the canvas?

9 A No, it's just the canvas, whatever a painter's
10 canvas, just the --

11 Q Okay, so just a loose piece of canvas. It could be
12 rolled up or it's not --

13 A No.

14 Q -- affixed to anything.

15 A No, it's a stiff. It's the stiff, um -- I guess
16 you're right, the cardboard underneath, but it's the --
17 it's the stiff canvas that you would -- you know, any
18 painting that you would buy in a store.

19 Q Okay.

20 A That type.

21 Q But not with a -- is there -- is there a frame? Is
22 the canvas stretched over a wood frame and then like
23 stapled from the back so it's rigid?

24 A What do you mean, stapled? I never saw any staples
25 in it, but I mean it was just like a stiff --

- 1 BY [REDACTED]
- 2 Q You couldn't roll it up. You couldn't roll it.
- 3 A No, you couldn't roll it. No, you couldn't roll
- 4 it. It was just flat.
- 5 Q Okay, I mean usually if you buy a painting, a
- 6 canvas painting, underneath the canvas -- it's covering
- 7 it, but underneath it there's a frame, like a wood frame
- 8 just that holds the canvas taught and in place.
- 9 A Maybe that's what it is.
- 10 Q I don't mean like the black frame there.
- 11 (Indicating.)
- 12 A No.
- 13 Q I mean --
- 14 A No, it was --
- 15 Q -- underneath.
- 16 A It was -- it was stiff. Whatever it was, it was
- 17 stiff. I was trying to look to see if there was something
- 18 in here that -- but, no, you couldn't -- you couldn't roll
- 19 it up like you would that map if you took it out from
- 20 underneath there. It was stiff.
- 21 BY [REDACTED]
- 22 Q How thick was it?
- 23 A Just, you know, really, --
- 24 Q Canvas.
- 25 A -- just the normal canvas thickness.

- 1 Q And so Palmer would -- with your two paintings,
2 Palmer would take the two paintings and deposit them in
3 your car?
- 4 A Yes.
- 5 Q And so he would have to walk through the front
6 gate.
- 7 A He would, yes.
- 8 Q And you would have -- did you see him? He had a
9 large painting, a wrapped painting under his arm.
- 10 A That's how he would walk out, take it out the front
11 gate.
- 12 Q You never heard of any problems with that.
- 13 A No.
- 14 Q It was accepted -- it was accepted practice, at
15 least for your two paintings.
- 16 A Yeah.
- 17 Q Okay. One question to the side of this. Do you
18 recall something called "Recab," R-E-C-A-B, "Training"?
- 19 A A little.
- 20 Q Did you take it?
- 21 A Yes, I did.
- 22 Q How many times?
- 23 A I don't remember how many.
- 24 Q Do you remember the last time you took it?
- 25 A No.

1 Q Do you remember if it was even within the last five
2 years?

3 A It might have been, I don't remember.

4 Q Do you remember anything about the training?

5 A No.

6 Q Okay.

7 A Like I told you guys, I messed up big time. If I
8 could take this all back, I would, and I do. I beat
9 myself up every day because I've ruined a lot of lives.

10 BY [REDACTED]

11 Q Just one last thing, Miss Mitchell. What was the
12 problem between Sweat and Vicki Safford?

13 A I --

14 Q From your point of view, what was the problem with
15 them?

16 A I really don't know what the whole story is. I
17 just know there was something to do, when he was in
18 another shop, she wanted him, I guess, to -- when he was
19 the instructor from one shop, she wanted him to go into
20 another shop, and he didn't want to do it, and then I
21 don't know exactly the whole story between them two. I
22 just know that she never liked him after that.

23 Q So even in tailor 1 when you were there, you see
24 them butting heads or, you know, arguing?

25 A He, he never really went near her, and she

1 didn't -- I mean she -- she had no problem telling him
2 that she didn't care for him, but I mean I didn't know the
3 whole story behind what had happened between them and --

4 Q And what about you, what about your relationship
5 with Vicki?

6 A Vicki and I had -- we had problems, but --

7 Q Like what?

8 A We would get along, then we wouldn't, you know,
9 just like anybody else.

10 Q Why, in your mind, why in January does she start
11 spreading rumors like you hear that she's doing?

12 A I don't know.

13 Q Is she seeing something? I mean it seems like a
14 very odd thing for her to just do out of the blue, make
15 that up, you know, start saying that.

16 A I don't know. I mean Sweat wasn't even in the shop
17 at that time.

18 Q Was she angry that he was back in the shop, back in
19 tailor 9 -- or, I'm sorry, back in industry at all?

20 A She could be. She could have been.

21 Q Did she say --

22 A She really could have been, I don't know.

23 Q Did she say anything to you in tailor 1 about it?

24 A No. I didn't really ever talk with Vicki all that
25 much. I just know that a lot of people said that if Vicki

1 ever got a grudge against you for anything at all, you
2 wanted to stay out of her way because she was dangerous.
3 What they meant exactly? I don't know.

4 Q And when the rumors arose in January, the rumors
5 that -- why do you think it's -- why did you think she was
6 behind the rumor?

7 A Because that's what I was told; it was her and Brad
8 Streeter.

9 Q And did you confront her?

10 A I went to the office to speak to Scott Scholl, and
11 I told him what I had heard, and he told me that he would
12 discuss it with them and get back to me. And he never got
13 back to me, so I went and spoke to the superintendent
14 about it. And when he come to me afterwards and told me,
15 he asked me why I went. It's like, I asked you, you never
16 got back to me. And, well, if you would have given me a
17 few days. I said, I give you a few days. Well, I talked
18 to him, and they never did it.

19 Q And what did Matt think, inmate Matt, about this?

20 A About --

21 Q About --

22 A What Vicki?

23 Q Yeah, the January rumor and your being upset about
24 it.

25 A He, he really didn't say too much, just, you know,

1 he never liked Vicki, so but --

2 Q I mean back in January or back in July you showed
3 him the rat note. You talked about it. You talked about
4 the rat note with him then, so you talked about the
5 January rumor with Matt as well?

6 A Yes.

7 Q Did he -- did he -- did you talk to him about
8 filing the complaint? Did he --

9 A No.

10 Q -- think that -- think that was a good idea?

11 A I didn't say anything about filing the complaint, I
12 just did it.

13 [REDACTED] I don't have any.

14 Go ahead.

15 BY [REDACTED]

16 Q I do have one question. I'm just going to, again,
17 bring you back to February, when we were talking about the
18 blades in February.

19 A Okay.

20 Q So Matt requested you to purchase blades, correct?

21 A Yes.

22 Q You purchased blades, correct?

23 A Yes.

24 Q And it was your intent to give those blades to
25 Matt, correct?

- 1 A Yes.
- 2 Q Now, as your attorney has rightly been telling you
3 all along, we don't want you guessing here.
- 4 A Okay.
- 5 Q So you said something about putting these blades,
6 which is contraband, in Lyle's tool box. My question to
7 you is do you have a specific recollection of putting
8 extra blade in Lyle's tool box? Do you recall that --
- 9 A Yes.
- 10 Q -- as you sit here today that you put contraband in
11 Lyle's tool box?
- 12 A I put two blades in the top of his tool box.
- 13 Q Okay, so that leaves four because you purchased
14 six.
- 15 A I only put two in Lyle's --
- 16 Q -- tool box.
- 17 A Yes.
- 18 Q You purchased six, correct?
- 19 [REDACTED] Um-hum.
- 20 Q Okay. All right, is it possible that you brought
21 in more than two blades into the facility in February? Is
22 it possible?
- 23 A It's possible.
- 24 Q All right.
- 25 A I told you, I screwed up. I know I screwed up.

1 [REDACTED] All right, I think
2 you've said that. They know that.

3 A But --

4 [REDACTED] Nobody's denying that,
5 Joyce.

6 [REDACTED] Thank you.

7 THE WITNESS: Everybody wants to hate
8 me and nobody else. I didn't do this all on my
9 own.

10 BY [REDACTED]

11 Q When you say you didn't do this all on your own,
12 who are you talking about? Who else?

13 A There's no way they could have got out with just
14 the stuff I brought, there's no way.

15 Q So, but are you talking about Palmer, or are you
16 talking -- you're just -- you're just guessing.

17 A I'm just guessing, but there's --

18 Q Okay.

19 A -- no way that they could have.

20 Q I just wanted to be clear, okay. Thank you.

21 (Whereupon, the matter, in the
22 above-entitled proceedings, concluded at 3:50
23 p.m.)

24

25

EXHIBIT INDEX

IG's	DESCRIPTION	FOR I.D.
1	Walmart Transaction Records and Receipts 2.16.15	Pg. 2
2	Walmart Transaction Records and Receipts 5.17.15	Pg. 2
3	Walmart Transaction Records and Receipts 5.28.15	Pg. 2
4	Walmart Transaction Records, Receipts and Images of Items Purchased, 10.12.14 - 6.3.15	Pg. 25
5	Road Atlas	Pg. 46
6	Tailor Shop 1 Images	Pg. 49
7	JM Computer Internet Search Items, Drill Bits and [REDACTED], 4 pgs	Pg. 69
8	Center Prick Punche Set (3-piece)	Pg. 75
9	Small Punch (Single, No Package)	Pg. 76
10	Chisel Set (3-piece)	"
11	Stanley Folding Star Key Set	"
12	Allen-Head Wrench (Single, No Package)	"
13	Screwdriver Bit Set (44-piece)	Pg. 82
14	(2) Paintings by R. Matt (Son & Dogs)	Pg. 100
15	New York State Map, 1 pg. (Reprint)	Pg. 107
16	Inmate Complaint (Rat Note)	Pg. 140

C E R T I F I C A T E

I, Kyle Alexy, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify that the foregoing record taken by me is a true and accurate transcript of the same, to the best of my ability and belief.

Kyle Alexy

DATE: September 27, 2015

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